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UNITED STATES ROLE IN THE UNITED NATIONS SYSTEM

Hearings on Recommendations of the President's Commission for the
Observance of the 25th Anniversary of the U.N. (Lodge Commission);
and the UNA-USA Policy Panel on the U.N. (Katzenbach Commission)

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HEARINGS

BEFORE THE

SUBCOMMITTEE ON INTERNATIONAL
ORGANIZATIONS AND MOVEMENTS

OF THE

COMMITTEE ON FOREIGN AFFAIRS
HOUSE OF REPRESENTATIVES

NINETY-SECOND CONGRESS

FIRST SESSION

OCTOBER 13 AND 14, 1971

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U.S. ROLE IN THE UNITED NATIONS SYSTEM

WEDNESDAY, OCTOBER 13, 1971

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FOREIGN AFFAIRS,
SUBCOMMITTEE ON INTERNATIONAL
ORGANIZATIONS AND MOVEMENTS,
Washington, D.C.

The subcommittee, met at 2 p.m., in room 2172, Rayburn House Office Building, Hon. Donald M. Fraser (chairman of the subcommittee), presiding.

Mr. FRASER. The meeting of the subcommittee will come to order.

Today the subcommittee will begin 2 days of public hearings on the recommendations of two expert Commissions on the United Nations—the President's Commission for the Observance of the Twenty-fifth Anniversary of the United Nations, chaired by Ambassador Henry Cabot Lodge, and the United Nations Association Policy Panel on the United Nations in the 1970's, chaired by Mr. Nicholas Katzenbach.

The reports of these two Commissions deal with a broad range of issues affecting the United Nations and the role of the United States in the U.N. system. As such, the reports provide an excellent guide for careful consideration by this subcommittee of what might be expected of the United Nations during the next few years, and make some significant foreign policy recommendations for this country to consider in the world organizations.

The timing of this week's hearings is also particularly appropriate from the subcommittee's point of view. Now that both Commissions have released their reports, we have an opportunity to compare them with each other, and the subject of one of the major recommendations—Chinese representation—is now being debated at the General Assembly in New York.

We are very fortunate in having with us as witnesses today the chairmen of the two Commissions—Ambassador Lodge and Mr. Katzenbach, and the Assistant Secretary of State responsible for United Nations Affairs, Mr. Samuel De Palma.

I would also like to acknowledge and welcome the presence of our distinguished colleague from Missouri, Representative William L. Hungate, whose deep interest in a more effective United Nations has led him to introduce an important piece of legislation calling for a review of the United Nations Charter. We have invited him to question our witnesses today along with the members of the subcommittee.

We will ask that the subcommittee members wait until all of the members of the panel have made their presentations so that we can offer questions to all of our witnesses as a panel.

Our first witness is the Honorable Henry Cabot Lodge, Chairman of the President's Commission for the Observation of the 25th Anniversary of the United Nations. We are delighted to have you here. Will you proceed, please.

STATEMENT OF HON. HENRY CABOT LODGE

Ambassador LODGE. Thank you, Mr. Chairman, gentlemen of the committee.

I am very much honored to be invited to appear. In order to save you time, I thought I would touch on the high spots of the report, the first of which I think relates to membership.

The Commission concluded that the United Nations can best do its job for prevention and settlement of disputes if its membership includes all of the governments of the world, provided they subscribe to the principles of the United Nations Charter.

This means all governments which unquestionably govern specific areas, even though they may not control all of the areas which they claim to control.

If governments disagree strongly with each other, all the more reason for having them under the United Nation's tent, and subject to the debate and procedures of the United Nations system. So the Commission recommended that the United States adopt the position that all firmly established governments should be included in the United Nations system.

Now, this logic argued, both for admitting such established governments to the United Nations as are not members, and for retaining in the United Nations, such established governments as are already members.

Admission and retention are equally important. This reasoning would apply to the divided countries, and to Switzerland, whenever any and all of them are in a position to join and wish to do so.

It also means that any government which is fulfilling its obligation under the charter must not be expelled.

Now, there are timing difficulties involved in considering new memberships.

Entry of East Germany, for example, before satisfactory arrangements have been negotiated, regarding its relationship with West Germany might endanger the prospects of reaching agreements between them.

The entry of other divided states could present similar problems. Each membership has its own difficulties, but such difficulties must be overcome.

The Commission said this concerning the representation of China in the United Nations:

After holding hearings in many different cities in the United States the Commission found growing public support in this country for the involvement of the People's Republic of China in the work of the United Nations, but also found a deep American commitment to continuing representation of the Republic of China on Taiwan in the United Nations.

These two Chinese governments each represent large numbers of people. The People's Republic of China, Peking, controlling one-fifth

of the world's people, and the Republic of China on Taiwan, controlling a larger population than two-thirds of all present United Nations members.

The United Nations activities logically ought to include both governments. The Commission believes that a great many Americans think it is fair to have two separate seats for two different governments, each clearly controlling different areas.

This is not a question of dual representation for one China, but the provision of two seats for two governments. Both governments claim to represent all of mainland China, and all of Taiwan. A decision by these governments not to be involved if the other is present in the United Nations, is a matter for each to determine.

Now, that is the background for the Commission's recommendation, and I am quoting:

Under no circumstances should the United States agree to the expulsion of the Republic of China on Taiwan from the United Nations, but that the United States seek agreement as early as practicable whereby the People's Republic of China might accept the principles of the United Nations Charter, and be represented in the organization.

Finally, the Commission recommended, that the United States strive to establish the principle that membership in the United Nations, with its pledge to the tenets of the charter, should not be regarded as a privilege, but as an obligation, from which no government or state should be permitted to escape.

The United Nations must eventually become a community of nations in which duties are commensurate with rights.

That concludes what I wanted to say on the subject of membership.

The second high spot has to do with multilateral instrumentalities for international assistance.

It refers to the adoption of the international development strategy, for the second United Nations development decade by the General Assembly in 1970. The Commission recommends an increasing proportion of U.S. technical assistance, official loans and credits to the developing nations of the world be channeled through the multilateral agencies of the United Nations system.

This is not to say that the Commission minimized the importance of U.S. bilateral assistance in certain cases, but the Commission believes that the multilateral way makes contributions to the economic growth of developing countries, which adds something extra to what would otherwise be contributed.

Every dollar of input by the United States to the United Nations Development Program helps to generate more than \$6 of actual development work by other nations.

Aid through multilateral institutions has the added advantage of neutralizing the political aspects of economic assistance, and reducing the resentment of some developing nations to bilateral programs.

The Commission particularly urges that greater contributions be made to the United Nations Development Program.

Since its inception, this program has supported 1,179 large-scale natural resources surveys, 444 major projects for education and training, and the establishment of 277 facilities for technical assistance missions.

Followup investments to make the resources discovery through UNDP projects more productive have been calculated at \$4 billion,

with 45 percent of such investment stemming from the developing countries themselves, so this is really self-help in a very true sense.

Among officials and in all public testimony before the Commission, we found almost universal support for the United Nations Development Program.

The very significant results thus far produced could be multiplied many times over in the years ahead; therefore, the Commission recommended that U.S. contributions to the United Nations Development Program be significantly increased, year by year, to reach a minimum of \$200 million by 1975, subject to a continuing improvement in the administrative efficiency of the United Nations Development Program, and the United Nations' specialized agencies.

Now, those are two, I think, of the most interesting provisions in the report.

It had a great many specific recommendations on the subject of peacekeeping. It had recommendations concerning the question of the small states, concerning the organization and procedures of the General Assembly, concerning membership in the Security Council, and one recommendation that appealed to me very much was that agreement be reached among the United Nations' members for the rotation of at least half of the 10 elected seats among the larger states.

This would mean that Japan and Germany, if she gets admitted, would be in the Security Council almost all of the time, or at least a large part of the time.

It has recommendations on the solvency of the United Nations, and recommendations concerning the quality of the professional staff, because I think you gentlemen will agree that the presence at the United Nations of men like Ralph Bunch and Paul Hoffman has been a tremendous thing for the world, and now that they are both phasing out, as it were, we strongly hope that men of similar caliber will be appointed.

Mr. Chairman, thank you for your patience, and that concludes my presentation.

Mr. FRASER. Thank you very much, Mr. Ambassador. I appreciate the conciseness of your statement, and I think we realize it would not be feasible to try to cover all of your recommendations in one statement, but this, I think, makes a good foundation for this afternoon's discussion.

Our second witness is the Honorable Nicholas deB. Katzenbach, Chairman of the United Nations Association of the United States National Policy Panel on the United Nations in the 1970's.

STATEMENT OF HON. NICHOLAS deB. KATZENBACH

Mr. KATZENBACH. Mr. Chairman, thank you for the opportunity to appear before this committee.

For the past year I have been the Chairman of a National Policy Panel, established by the United Nations Association of the U.S.A., which has been taking a hard look at the capabilities of the United Nations.

We have been looking at the role the United Nations can be expected to play in helping meet the international problems of the 1970's.

It is no secret that the United Nations' competence and prestige is at low ebb. It is ironic that this should be the case at a time of unprecedented growth in international economic, social, scientific, and political interdependence.

But the United Nations' machinery for effective management of worldwide economic and social activities, and for effective peacekeeping, does not presently exist.

Our Panel was concerned as to whether such international machinery can be created.

You have our conclusions before you in our report.

I would like to comment on the four proposals I consider to be the most important:

1. CHINA AND THE DIVIDED STATES

The Panel recommends, as a matter of primary importance, that the People's Republic of China be seated in the General Assembly, and that the credentials of its representatives be accepted by the Security Council in place of those of the Republic of China on Taiwan.

The Panel expressed the belief that the Republic of China should continue to be seated in the General Assembly as a U.N. member.

It believed that future relationships between the two governments should be left to them to decide.

I would like to emphasize that, in the Panel's view, the seating of Peking is a matter of primary importance.

While the Panel believed it was desirable for the Republic of China on Taiwan to continue to be seated in the Assembly, it did not feel this to be the priority consideration.

I attempted to make this clear in a comment at the end of the report, adding that I personally did not consider a "two-China solution" to be a practical possibility at this time.

The Panel also recommended the early entrance into the U.N. of the two Germanys, the two Koreas and the two Vietnams. It suggested that arrangements to seat each of these governments should not prejudice the possibilities of their unification at some future time.

2. COALITIONS FOR PEACEFUL SETTLEMENT

The principal recommendation of the Panel was that there should be developed within the United Nations what the Panel called "Coalition for Peaceful Settlement".

The Security Council, many times in the past, has been inhibited by the veto. This situation will continue, at the same time, the steady increase in U.N. membership has made of the General Assembly a body unsuited for the consideration of many questions of importance to the United States and other major powers.

The United States, correctly, is unwilling to accept as having binding force, the judgment of a majority of members of the U.N. who could collectively, in theory, represent only a tiny fraction of the world's power, or of contributions to the U.N. budget.

At the same time, we have written off the remedy to this, that is, weighted voting, on the equally correct ground that a General Assembly numerical majority would probably never agree to have their power weakened.

The Panel therefore recommends the development of coalitions for peaceful settlement, in which the members of the coalition would agree, in advance, to accept as binding, certain General Assembly resolutions on selected issues—if they were adopted by specified and meaningful majorities.

The stipulation on the vote might be either that it be adopted by a special majority, that is, by a three-fourths or four-fifths majority, or that it include the affirmative vote of a specified group of U.N. members or both.

An Assembly resolution which did not meet the stipulation would have no binding force, and would remain as other Assembly actions now are, only a recommendation.

The coalitions would be developed around specific issues, cutting across ideological and geographical blocks.

The approach we are suggesting would illustrate the weakness in the present decisionmaking approach in the Assembly.

We believe it represents a practical and hardheaded new approach to international decisionmaking on selected important issues.

The approach is also adaptable to decisionmaking in the Security Council and to the formulation of issues that could be presented to the International Court of Justice for settlement.

3. A REVITALIZED ECOSOC AND ITS EXECUTIVE SUPPORT

Under the United Nations Charter, ECOSOC was to be the centerpiece in international economic and social decisionmaking—the focus and coordinator of all United Nations system efforts in those fields.

It has never, however, been an effective mechanism of policymaking or control.

The U.N. specialized agencies have asserted their independence.

The United Nations' own functional bodies have proliferated, and there has been little central control or guidance.

The Administrative Committee on Coordination (ACC) set up by the U.N. in an effort to effect some coordination, has had only marginal influence on policies and budgets.

The principal influence for coordination has been the United Nations Development Program with its power of the purse over the expanded—nonregular—budgets of the U.N. specialized agencies.

The Panel recommends that ECOSOC be put on a permanent year-round basis, with responsibility for reviewing priorities and programs of a reorganized U.N. Department of Social and Economic Affairs, and that it be given the responsibility of reviewing and making recommendations regarding the work of the U.N. specialized agencies financed by their regular budgets, that is, the work that they undertake not funded by the U.N. Development Program.

The Panel accompanies this basic recommendation with several related ones, that is, that a new level of program-budgeting be initiated in the Department of Economic and Social Affairs; that the responsibility of the latter department for operational and field programs should be removed, and that final authority at the executive level for recommendations to ECOSOC with regard to U.N. system-wide programs and priorities would rest with a new U.N. Deputy Secretary General for Economic and Social Activities.

Edward K. Hamilton, a member of the Panel, and the former Executive Secretary and Staff Director of the Pierson Commission, who I believe is appearing before this committee tomorrow, will probably elaborate on these suggestions—as well as on one or two additional ones in the international economic field.

4. THE U.N.'S FINANCIAL CRISIS

The public press, during the last few days, has carried reports of the U.N.'s financial crisis.

In large part this crisis has been a legacy of the dispute over the financing of U.N. peacekeeping operations.

Certain states have, however, refused to pay assessments for items in the regular budget.

The overall result has been that the United Nations has exhausted its Working Capital Fund and has been forced, in recent months, to dip into earmarked trust funds in order to meet its payroll. The situation calls for drastic measures.

The U.N. financial crisis has the following main components:

(a) A current deficit of approximately \$70 million. Of this sum, approximately \$52 million is owed to governments.

(b) The unamortized portion of the U.N. bond issue, currently stands at approximately \$119 million. These components total approximately \$189 million.

Although the current crisis is financial in form, in substance it is political.

While the symptoms are financial—the inability of the Secretary General to meet the monthly payroll of the Organization without borrowing from trust funds—what is at stake is much more than the immediate financial health of the U.N.

At issue is nothing less than the basic viability of the Organization.

A financially “bankrupt” United Nations would become a political embarrassment and would fail to attract and keep the necessary leadership in the Secretariat.

I believe the resolution of the current financial difficulties of the U.N. requires a collective effort by all members to be successful.

This effort should be directed, I believe, toward a comprehensive settlement of all the components of the current deteriorating financial situation—the deficit, the outstanding U.N. bond issue, and the contested items in the regular budget.

All U.N. members can participate in this collective effort without compromising their often-stated principles in this area.

Only if all of these items are resolved will the financial health of the Organization be restored.

I have referred earlier to our Panel's proposal for coalitions of U.N. members.

I believe the approach could be used in the resolution of the U.N.'s financial crisis.

The United States, after consultation with other concerned states, could announce that it was prepared to consider itself bound, subject only to appropriations, by a comprehensive solution of the U.N.'s financial difficulties.

Such a solution might consist of the following elements:

(a) A waiver by those U.N. members that purchased bonds, of payment for those bonds up to the amount that they would be obligated to pay in U.N. assessments for their amortization.

(b) Waivers by nonmember governments of the face value of the U.N. bonds they now hold.

(c) Waiver by members of the amount owed them as a result of the U.N. Congo operation (UNOC) and the U.N. Emergency Force in the Middle East (UNEF).

(d) Cash contributions of at least \$50 million by those states that neither purchased U.N. bonds, nor made previous voluntary contributions toward resolving the U.N. deficit.

The United States' announcement would condition its acceptance of such a solution only on approval of the settlement by a two-thirds majority of the General Assembly, including the Soviet Union, France, and the United Kingdom, and the condition the United States share no more than its proper share.

Such a condition would have the great advantage of indicating that the United States is willing to accept an equitable solution to these difficulties and that it desires a broad-based U.N. effort to resolve these long-standing issues.

I believe, Mr. Chairman, that a collective effort such as this is needed, and that it is possible.

The negotiations in putting the coalition together might well alter the exact terms of the package settlement. This would be expected. But the effort is essential to the U.N.'s future effectiveness.

In closing, I want to say a word about United Nations and United States leadership. The United Nations this fall will be electing a new Secretary General. I consider that election to be of great importance.

The Panel also noted that the decisionmaking on many U.N. questions was dispersed in the U.S. Government.

They thus recommended the question of a post of Under Secretary for Multilateral Affairs in the Department of State.

The Under Secretary would be responsible for the coordination of decisionmaking on international organization affairs under the leadership of the President and the Secretary of State.

Mr. Chairman, I believe we have developed a set of proposals that are practical and realistic for the United Nations in the 1970's.

I would like now to submit for the record the recommendations in brief form, summary form, made by the Commission, and a list of the members of the Panel who participated with me.

Mr. FRASER. Without objection, we will have those inserted in the record.

(The documents follow:)

MEMBERS OF THE UNA-USA NATIONAL POLICY PANEL ON "THE UNITED NATIONS IN THE 1970's"

NICHOLAS deB. KATZENBACH, *Chairman*, Vice President and General Counsel, International Business Machines Corp., formerly, Attorney General and Under-Secretary of State.

HARLAN CLEVELAND, *Vice Chairman*, President, University of Hawaii, formerly, Assistant Secretary of State for International Organization Affairs and United States Ambassador to NATO.

I. W. ABEL, President, United Steel Workers of America, Member of the United States Delegation to the 22nd UN General Assembly.

- LINCOLN P. BLOOMFIELD, Professor of Political Science, Massachusetts Institute of Technology.
- G. MICHAEL CONLEE, Student, University of Northern Iowa.
- ANDREW W. CORDIER, Dean, School of International Affairs, Columbia University, formerly, Executive Assistant to the UN Secretary-General and Under-Secretary-General for General Assembly Affairs.
- BREWSTER C. DENNY, Dean of the Graduate School of Public Affairs, University of Washington, Member of the U.S. Delegation to the 23rd UN General Assembly.
- PHILIP M. KLUTZNICK, *Vice Chairman*, Chairman of the Board, Urban Investment and Development Co., formerly, U.S. Representative to the United Nations Economic and Social Council.
- DAVID A. DULL, Student, Yale University, President of CIRUNA, Collegiate Affiliate of UNA-USA.
- RICHARD N. GARDNER, Henry L. Moses Professor of Law and International Organization, Columbia University.
- ARTHUR GOLDSCHMIDT, Consultant, UN Development Program, formerly U.S. Representative to the UN Economic and Social Council.
- ERNEST A. GROSS, Partner, Curtis, Mallet-Prevost, Colt & Mosle, formerly, Deputy Permanent U.S. Representative to the United Nations.
- EDWARD K. HAMILTON, Director, Bureau of the Budget, City of New York, formerly, Executive Secretary & Staff Director, Commission on International Development.
- DONALD S. HARRINGTON, Minister, Community Church of New York.
- JAMES N. HYDE, Consultant, Rockefeller Brothers Fund.
- JAMES H. INGERSOLL, Vice President—International Borg-Warner Corp.
- PHILIP C. JESSUP, formerly, Judge, International Court of Justice; United States Deputy Permanent Representative to the United Nations and Ambassador-at-Large.
- JOSEPH E. JOHNSON, President Emeritus, Carnegie Endowment for International Peace; Member of the U.S. Delegation to the 24th UN General Assembly.
- DAVID A. KAY, Associate Professor of Political Science, University of Wisconsin.
- G. WILLIAM MILLER, President, Textron, Inc.
- JOSEPH S. NYE, Center for International Studies, Harvard University.
- MRS. HARVEY PICKER, United States Representative to the UN Social Development Commission; Member of the U.S. Delegation to the 24th UN General Assembly.
- ROBERT STEVENSON, Executive Vice President, Ford Motor Co.
- PHILLIPS TALBOT, President, The Asia Society, formerly, Assistant Secretary of State for Near Eastern and South Asian Affairs, and U.S. Ambassador to Greece.
- EDWIN C. WHITEHEAD, President, Technicon Corp.
- JOHN R. WILKINS, Professor of Law, University of California (Berkeley).
- SIDNEY H. WILLNER, Senior Vice President, Hilton Hotels International.
- CHARLES W. YOST, Counsellor, UNA-USA, formerly, Permanent Representative of the United States to the United Nations.
- Staff:**
- ELMORE JACKSON, Project Director, Vice President for Policy Studies, UNA-USA.
- Consultants:**
- CLARENCE I. BLAU, JEFFREY L. HODES, STANLEY P. JOHNSON.

SUMMARY OF FINDINGS AND RECOMMENDATIONS OF THE UNA-USA REPORT "THE UNITED NATIONS IN THE 1970s"

The Panel makes several recommendations which it considers fundamental and which it believes, if accepted, would bring a new level of competence to the UN system:

1. COALITIONS FOR PEACEFUL SETTLEMENT

If the UN Security Council and General Assembly are to be increasingly effective in dealing with conflict situations new departures in their work are essential.

Every effort should be made to strengthen the operations of the Security Council. But the Council at times will be inhibited from taking effective action—sometimes frustrated by the veto. New approaches to General Assembly action are thus required.

Any pattern of weighted voting is unlikely to be acceptable to most of the 127 members of the Assembly, who understandably would not wish to have their voting power diluted. But the present setting is one in which, in many cases, General Assembly resolutions are ignored and, in other cases, important questions are not, as in the past, submitted to the Assembly for settlement.

The Panel therefore recommends that on selected issues of major importance, the United States and other especially concerned Members develop "coalitions for peaceful settlement." Different coalitions, cutting across geographical and ideological blocs, would be developed on different issues. The members of a coalition would agree in advance to accept as binding a General Assembly resolution on a selected issue if the resolution were adopted by a specified, and special majority. If the resolution did not meet the special voting stipulation made in advance, it would remain—like all regular Assembly resolutions—a recommendation. The expectation would be that, over time, a new standard of decision-making on questions of peaceful settlement would develop in the General Assembly—and a new level of "working world order" would be created.

Such coalitions might be developed for the submission of issues to the International Court of Justice, and for the carrying out of certain types of decisions by the Security Council.

2. NEW APPROACHES IN THE MANAGEMENT OF SCIENCE AND TECHNOLOGY

The Panel believes that problems such as environmental pollution, sea-bed resources management, climate modification and control, and the uses of outer space will soon demand some type of international institutional framework for their effective regulation and management. What is needed immediately, however, is a much greater and more centralized UN capacity for scientific analysis and technological assessment. This is needed both as a means of helping to determine the new institutional arrangements that should be made, and also as a means of helping decide how existing UN institutions should be adapted to the new imperatives of the 1970s.

The Panel recommends that the UN General Assembly combine the existing Advisory Committee on the Application of Science and Technology to Development and the Scientific Advisory Committee into a ten-member Council of Scientific Advisors composed of outstanding scientists chosen for their professional competence. The Council, attached to the Office of the Secretary-General, would be headed by a full-time chairman, drawn from the highest level of the international scientific community. It would be serviced by a new Center for Technological Assessment.

The present Special Political Committee of the General Assembly should become the Seventh Committee, responsible, *inter alia*, for science and technology items.

3. ECOSOC AND ITS EXECUTIVE SUPPORT

The United Nations Economic and Social Council has not over the years been an effective center for UN decision-making on worldwide economic, social, and scientific questions.

The Panel believes that the needed reform of the UN economic and social system will require simultaneous changes in the work of ECOSOC and in the UN Department of Economic and Social Affairs. The objective should be to build, both at the intergovernmental and executive levels, a strong central focus for all UN activities in the economic and social field.

The Panel recommends that ECOSOC, taking its Charter-given responsibilities seriously, meet on a year-round basis to:

Review the programs and work of a reorganized UN Department of Economic and Social Affairs and to make decisions on priorities;

Review and make recommendations regarding the work of the UN specialized agencies financed by their regular budgets, i.e., the work which they undertake not funded by the UN Development Program (UNDP);

Review the annual reports from UNDP's Governing Council on its operational programs and make such recommendations to the Governing Council, the General Assembly, or to member states, as it considers appropriate.

The Council would, during the course of the year, take up each of the principal areas of international concern—e.g., the environment, population, urbanization, unemployment, trade—for one to two weeks of major review, with the responsible senior officials of member governments in attendance.

To facilitate the coordination and integration of the economic, social, and scientific programs of the UN system, the Panel recommends the appointment of a UN Deputy Secretary-General for Economic and Social Activities.

4. A COLLECTIVE EFFORT TO RESOLVE THE UN FINANCIAL CRISIS

The current financial difficulties of the United Nations are of serious proportions. The United Nations has been borrowing from its trust accounts to pay current operating expenses.

In the Panel's view a collective effort of the UN Members should be directed to a comprehensive settlement of all the components of the current crisis—the deficit, the outstanding United Nations bond issue, and the contested items in the regular budget. Only if all of these items are resolved will the financial health of the United Nations enable it to tackle the critical problems of the 1970s.

All UN Members should participate in this collective effort. The Panel is convinced this can be done without compromising their often-stated principles on these issues.

5. UN LEADERSHIP AND PLANNING

The election at the 26th Session of the General Assembly of the next Secretary-General is of extraordinary importance. The newly elected Secretary-General will be responsible for helping shape the UN's responses to both the hazards and the enormous opportunities of the world now emerging.

The Panel believes that extraordinary qualities of leadership will be required for giving guidance to the UN's political role in the decade ahead and in helping bring the needed organizational coherence within the UN system.

6. U.S. LEADERSHIP AND SUPPORT

The Panel is convinced that executive leadership in the UN to bring coherence in the system must be matched by new measures in national governments to centralize and raise the level of decision-making on matters affecting international institutions. The present dispersion of such decision-making in national policy-making structures can only impede seriously the UN's own efforts at coordination.

The Panel believes that effective U.S. leadership in the rapidly expanding range of transitional activities requires the locating of the principal policy-making and policy-coordinating center on multilateral affairs in the Department of State at the Under Secretary level.

7. UN REPRESENTATION AND MEMBERSHIP

The Panel recommends, as a matter of primary importance, that the People's Republic of China be seated in the General Assembly and that the credentials of her representatives be accepted by the Security Council, in place of those of the Republic of China on Taiwan. The Panel believes that the Republic of China on Taiwan should continue to be seated in the General Assembly as a United Nations Member. The time and circumstances under which the two governments might wish to consider their future relations should be left to them to decide.

The Panel believes that the same general principle of inclusiveness applies to UN membership for the Federal Republic of Germany, the German Democratic Republic, North and South Korea, and North and South Vietnam.

8. PEACEKEEPING AND DISASTER RELIEF

The Panel believes that the United States and the Soviet Union will increasingly see that their interest in avoiding a nuclear war, and in preventing the escalation of small conflicts into superpower confrontations, calls for new efforts to strengthen the peacekeeping capabilities of the United Nations.

The Panel recommends that, in addition to developing more reliable measures for the provision of national units for UN peacekeeping, the UN develop promptly a small, continuously available capacity for relief and rescue missions.

An initial expansion of the existing UN Field and Guard Forces by 200 to 300 men, coupled with an adequate training program and the acquisition of sufficient training and transportation equipment, could provide the UN with a sig-

nificant operational capacity for humanitarian and relief activities in situations of both natural and civil disaster.

9. A UN FACT-FINDING CENTER

Prompt, objective, and impartial fact-finding is essential if international conflicts are to be brought under control.

The Panel recommends that the United Nations create a UN Fact-Finding Center, charged with the responsibility of developing an effective system of fact-finding—designed to provide a UN capability to respond promptly to situations that threaten international peace and security. Modern techniques of research, electronic data processing, and high technology surveillance (such as Compass Link) should be made available by UN member governments.

10. NEW ORGANIZATIONAL ARRANGEMENTS IN THE GENERAL ASSEMBLY

The UN General Assembly is not organized to handle effectively the large number of issues which come before it.

The Panel recommends more use by the Assembly of functional sub-committees—supplementing the work of Main Committees, meetings of the General Committee in May of each year to decide on Assembly agenda items, more use of a consensus procedure on resolutions, and an amendment of General Assembly rules to provide that those countries which abstain on votes will be counted as "present and voting." This latter proposal would prevent resolutions being passed in which the negative votes and the abstentions outnumber the affirmative votes.

11. MOBILIZING FOR A GLOBAL DEVELOPMENT EFFORT

There is a growing need for mechanisms of regular consultation between all principal aid agencies, national and multinational, on questions of global priorities and on levels of development funding.

The Panel recommends the establishment of an International Development Council, which at least once a year would bring together the following officials—all with major responsibility in implementing the world-wide development effort:

The UN Deputy Secretary-General for Economic and Social Activities.

The President of the World Bank.

The Administrator of UNDP.

The Directors of the U.S., U.K., French, USSR, West German, and Japanese aid agencies.

Seven representatives of developing countries.

The Director-General of GATT.

The Managing Director of IMF.

The Secretary-General of UNCTAD.

The Presidents of the three Regional Development Banks.

The Council in its meeting would focus on priorities in development assistance and consider the necessary levels and sources of international funding.

Mr. KATZENBACH. Mr. Chairman, I thank you for the opportunity to present my testimony.

If there are any questions I would be glad to try to answer them.

Mr. FRASER. Thank you very much, Mr. Katzenbach, for a very fine statement. Our third witness is the Honorable Samuel De Palma, Assistant Secretary of State for International Organization Affairs.

STATEMENT OF HON. SAMUEL DE PALMA, ASSISTANT SECRETARY OF STATE FOR INTERNATIONAL ORGANIZATION AFFAIRS

Mr. DE PALMA. Mr. Chairman, I appreciate the opportunity to appear before this committee to discuss the two reports prepared under the leadership of Ambassador Lodge and Mr. Katzenbach.

Both reports reflect an incisive analysis and great imagination in their recommendations. Both will help us appraise the problems we face in working for improvements in the performance of the U.N. system and our participation in it.

The reports are also of great value in building public understanding because they have looked at both the accomplishments and the shortcomings that must be remedied if we are to benefit fully from international institutions in coming years.

At the outset let me make clear that taken as a whole, the philosophy, the conclusions, and recommendations contained in these reports are generally consonant with the outlook and approach of the Department of State.

We may differ on relative priorities and on the practicality of certain recommendations, and we have reservations about others.

But our differences are mainly about the prospects of implementation and about timing.

Many of the proposals in the Lodge Commission report are similar to those we have already advanced in the U.N. to strengthen peaceful settlement procedures and peacekeeping machinery; to put the U.N.'s administrative and financial house in order; and to streamline cumbersome, outdated, and inefficient procedures and voting arrangements in the General Assembly.

We find highly constructive the steps recommended for responding to global challenges on narcotics, population, seabeds, environment, and similar issues.

Equally, the UNA report on "The United Nations in the 1970's" addresses with great imagination the economic, social, and scientific issues of the next decade and the implications these should have for U.N. organization—notably in revitalizing ECOSOC—and for U.N. action.

We are actually in the process of implementing a number of the recommendations and our positions have been reinforced by these reports.

Moreover, both reports persuasively argue that there is a close link between what the U.N. should do and the capacity of the U.N. to perform.

They both stress the importance of developing leadership and improved capacity in the Secretariat, of fiscal responsibility and financial solvency, and of modernizing management.

All the recommendations merit close and careful attention, and we are examining them in terms of our overall priorities, of their practicality, and of the capacity of international institutions to carry them out.

We have been instructed by the President to assess the conclusions of the Lodge Commission and to advise him to what extent and how soon its recommendations can be acted upon.

We plan to give an accounting of the status of implementation soon after the General Assembly since a number of the proposals are now being actively negotiated at the current Assembly session.

Consequently, my statement is in effect an interim report.

Before discussing the particulars of the key recommendations in these reports, let me make three general observations:

First, the underlying philosophy in both reports is that we are entering a new era of international relations in which foreign policy must be increasingly conducted through multilateral organizations.

We agree that U.N. and regional organizations need to be more fully used to deal with problems of peace and development.

We also agree, as they both point out, that certain defects in the organization must be corrected if the United Nations is to deal adequately with future challenges.

As President Nixon stated in his letter to Ambassador Lodge:

If we are to enjoy the maximum advantage of international cooperation, we must in general achieve greater efficiency in the U.N. system and improve our techniques for U.S. participation in international bodies.

Second, we often assert our claims and priorities in the U.N. system against the competitive interests and political pressures of others.

We have considerable influence, but we need to bargain against the interests and priorities of others.

This means that proposals for change in the structure and procedures of the U.N. or in its agenda must take account of political realities.

Otherwise hopes are raised which cannot be realized, at least not in the near term.

This can lead to further disappointment and a tendency around the U.N. and in the country to discount proposals and initiatives as being made primarily for rhetorical effect.

Third, many initiatives and even some proposals for reform involve questions of costs and priorities both on the national and international scenes.

It is always painful to have to choose among commendable and constructive proposals for action. This year, for example, we are stressing the United Nation's role in control of illegal traffic in narcotic drugs and in disaster relief, as well as reform of the ECOSOC.

This does not mean downgrading other proposals. It reflects only our assessment of matters that are ripe for action.

Let me consider the key recommendations of the Lodge report in four areas. I shall address parallel proposals in the UNA report in a more preliminary way since it was published just before the General Assembly session opened, and we have not had the time to give it the attention it merits.

These areas are:

(1) Organizational and structure reforms, including improving the performance of the U.N. and putting it on a sound administrative and financial footing;

(2) Strengthening the political and peacekeeping functions of the U.N.;

(3) Expanding and improving the U.N. capacity to undertake increasing economic and social activities, which are crucial to successful development of underdeveloped nations; and

(4) establishing legal, scientific and technological arrangements for international cooperation to make the world more habitable and to make more widely available the benefits of modern technology.

First, let me consider what can be done about membership problems, reform of structure and procedures, and improved U.N. performance generally.

Both the Lodge Commission and the UNA Panel recommend that all firmly established governments be included in the U.N. system.

Present members, including the Republic of China, should not be

expelled, while those outside would be brought in, due attention being paid to timing and special factors pertaining to each country.

This approach accords with the position stated by the Secretary of State to the General Assembly, that the People's Republic of China be seated under conditions which do not involve denial of representation to the Republic of China.

We strongly believe that the U.N. should deal with realities and not try to impose the views of one party.

Indeed the presence of both governments should facilitate evolution toward a settlement.

Conflicting claims need not be prejudiced by this procedure. As for the principle of universality and its application to the divided states, I believe it is clear that it cannot be applied automatically, but only on a case-by-case basis since circumstances differ and factors of timing are also involved, as for example in the case of Germany.

We welcome the suggestions of the Lodge Commission on the micro-state problem.

As this committee knows, in 1969 the U.N. Security Council—as a result of a U.S. initiative—established a Committee of Experts to study the problem.

The United States also proposed the establishment of a new associate status for microstates and in the Committee of Experts we have elaborated on this proposal.

The Committee has held 11 meetings and issued an interim report, but it has so far reached no conclusions or recommendations.

The U.S. proposal contemplates wide participation in the United Nations for such states as may opt for associate status, but without the right to vote or the obligation to pay the minimum assessment.

So far, however, we have been unable to obtain any substantial support from others in the United Nations and in the end, we may have to be guided by our own criteria in deciding how to vote on particular applicants.

QUALITY OF LEADERSHIP IN THE U.N. SECRETARIAT

We are in accord with both panels on the importance of political and administrative leadership in the United Nations and of the quality of the Secretariat.

Here the Secretary General plays a key role. He must combine qualities of leadership in giving guidance to the U.N.'s political role and of managerial talent to weld the Secretariat into an effective organization and to attack the U.N.'s serious financial problems.

We are also giving constant attention to the problem of securing appointments for qualified Americans at high levels in the U.N. Secretariat professional staff.

GENERAL ASSEMBLY PROCEDURES AND VOTING SYSTEM

Both panels stress the need to streamline the cumbersome and outdated procedures in the General Assembly.

We fully share the Commission's views that substantial reform of General Assembly procedures and organization is necessary if this

principal organ of the United Nations is to carry out its responsibilities more effectively.

We have already submitted many suggestions for specific reforms to a Special General Assembly Committee on the Rationalization of the Assembly Procedures and Organization.

Many of these coincide with those recommended by the panels. But, I do not have to point out to you, Mr. Chairman, that such changes are more difficult in implementation than in concept, as is the case with all parliamentary bodies looking at their own procedures.

Voting reform is advocated by both panels, mainly to assure that those on whom the United Nations relies—financially and otherwise—make its decisions effective have a commensurate voice in decision-making.

Both reports recognize that an across-the-board weighted system for voting in the General Assembly is probably not feasible at present.

But procedural change might accomplish the same purpose.

Two directions appear worth exploring. One is to seek a change in the General Assembly rules so that the adoption of resolutions would require an appropriate majority of all votes cast, counting those who choose to abstain as present and voting.

If this change were made, it would no longer be possible for a rather small minority of those who vote affirmatively to obtain approval of a resolution in the face of a large number of abstentions.

The other direction is to seek key points in the U.N. decisionmaking process where it might be possible to apply special arrangements to accord greater weight to the views of major contributors.

For example, special voting procedures might be applied for major expenditures in the peacekeeping field, perhaps through a special finance committee.

Finally, we are encouraging the use of working groups and special committees comprising those countries having a direct interest in the matter under consideration and involving, where possible, decisions by consensus rather than taking votes.

FINANCING

The U.N.'s finances are in bad shape, and we share the concern of both panels about the deficit and the imminent threat of a liquidity crisis.

As the Secretary of State stated in the General Assembly, this financial deterioration has eroded the U.N.'s fiscal credit and undermined confidence in its potential.

The proximate cause of the U.N.'s shortage of funds is the cumulative effect of withholding by the Soviets and French of portions of their annual contributions on top of the already shaky financial position of the U.N. resulting from earlier Soviet and French nonpayment for certain peacekeeping activities.

The responsibility for a solution rests primarily on those who failed to pay their share.

Former General Assembly President Hambro, who was asked by the Secretary General to explore the problem, has suggested a basis for an overall settlement that would resolve the U.N.'s liabilities, including the bonds, and remove from the budget certain controversial items on

which the Soviets and others withhold payments, thus building up new arrearages.

Both Panels advocate a collective effort to restore the U.N.'s financial health.

The UNA panel specifically calls for a comprehensive settlement of all components of the deficit. Such an overall solution would be possible only if sizable contributions were assured by the principal defaulters and if congressional support for a pragmatic and flexible approach were forthcoming.

Given assurances of adequate contributions by others, we believe the United States should be prepared to assist toward an overall solution.

Discussion of Ambassador Hambro's suggestion has just begun, and I do not know whether we will have any interesting possibility to put before the Congress.

We shall, of course, consult the Congress if we see any chance for a solution of this matter.

Meanwhile, considering the U.N.'s financial plight, we have made clear our concern over the pressure for increased budgets.

We feel strongly that tight budgets, better allocation of program funds, and improved budget management have become crucial if the U.N. is to survive this period of financial stringency.

The Lodge Commission proposes that the United States maintain and increase its total contributions to the U.N. by making greater contributions to programs for economic development and other special voluntary programs.

At the same time it recommends that, as new members are brought in, we seek a redistribution of the financial burden over a period of years to reduce our contribution to the assessed regular budget from its present 31.52 percent to 25 percent.

We understand the Commission to be talking about a goal to be gradually attained.

While we want to study the particulars, we are in accord with the Commission that the United States should expect a significant reduction in its assessment share as new members are admitted and as other members increase their national incomes.

We agree that in principle no international organization based on the sovereign equality of its members and in which almost all nations are represented should become overly dependent on one state for contributions to its operating budgets.

How to strengthen the peacekeeping and political functions of the U.N. is the second key area stressed by both reports.

Both panels justifiably conclude that if the Security Council is to do its job in preventive diplomacy, it needs to improve its factfinding, mediation, and conciliation procedures, and become bolder in recommending terms of settlement.

We strongly believe that all U.N. members should be concerned that the Security Council conduct its business in a deliberate and serious manner, that recourse to the Security Council should be undertaken seriously and that members should cooperate with a view to appropriate action to facilitate the settlement of disputes.

In particular we have urged that the Security Council investigate the facts thoroughly and arrive at an independent assessment of the situation before it acts.

The Security Council cannot act effectively if disputes are considered largely in terms of their domestic political impact and if members are not prepared to cooperate with its missions investigating the situation.

We favor all practical measures for prompt, objective, and impartial factfinding by the U.N. and will examine carefully the UNA proposal for a U.N. factfinding center.

Happily, the Security Council has utilized two factfinding missions recently, and, if the results fell short of our hopes, at least the principle of independently ascertaining the facts has been recognized.

PEACEKEEPING

We share the concern of both panels about the lack of progress in writing guidelines for U.N. peacekeeping to assure the availability of troops and facilities, and to devise a reliable method for financing peacekeeping missions.

The U.N. has been successful in improvising arrangements to damp down conflicts in about a dozen instances. However, as the committee is aware, the organization's peacekeeping capacity has been hampered by differences over how to conduct and finance peacekeeping operations.

Refusal of the Soviets and French to pay for certain past peacekeeping missions and the ensuing financial deficit have also impaired the U.N.'s ability to mount peacekeeping operations.

Some progress has been made in suggesting ways to improve technical aspects of peacekeeping, but no accommodation is yet in sight on the difficult issues of financing and on the respective roles of the Security Council and the Secretary General in managing peacekeeping operations authorized by the Council.

In bilateral and multilateral discussions Soviet representatives continue to insist that the Security Council, or a committee directly subordinate to it, control all major operational aspects by unanimous decisions of the permanent members.

We seek instead a solution that recognizes the primary responsibility of the Security Council to determine the mandate and exercise supervision over its implementation but leaves in the hands of the Secretary General adequate flexibility to deal with practical questions as they arise.

We are anxious to reach an understanding on practical arrangements to this end and, in the meantime, we hope to make such improvements as we can in technical arrangements.

As a first step we are advocating, as the Lodge Commission also recommends, that the Secretary General maintain a roster of offers of troops and facilities which U.N. members are willing to provide.

Whether they would be willing to go beyond earmarking units and actually make contingents available as a ready reserve or standby force—as both reports contemplate—needs further study.

The question is whether the middle-sized countries are ready to take this step pending agreement on workable guidelines for managing and financing peacekeeping missions.

We agree with the Commission that the United States should continue to provide logistic support, particularly airlift, and in appropriate cases U.N. specialists.

The idea of a revolving peace fund to help get costlier peacekeeping operations started is worth exploring, along with other cost-sharing schemes.

However, I must point out that the idea of a peace fund has not taken hold among U.N. members, the Soviets and French being especially cool to the proposal.

As the Commission stresses, the important thing is that all should contribute a fair share.

This question is, of course, also related to the problem of finding a solution to the current deficit.

COALITIONS FOR PEACEFUL SETTLEMENT

Let me turn now to the suggestion of the UNA Panel that when the Security Council is inhibited from taking action for peaceful settlement the United States and other concerned members should be prepared to work through the General Assembly in what are called "coalitions for peaceful settlement."

We are attracted by the idea that the U.N. should provide a framework for action by likeminded countries to promote peace where the U.N.'s formal decisionmaking machinery, for one reason or another, is not suitable. But we would need to consider carefully whether a declaration that certain countries would be "bound" by General Assembly decisions would be feasible, or indeed whether this procedure could, in fact, "bind" the United States without requisite congressional authority.

We wonder if many nations would subscribe in advance to this kind of procedure. But we will want to examine this suggestion more carefully, particularly as it may relate to a solution of the U.N.'s financial crisis.

In general the United States continues to hold to the longstanding policy, embodied in the Uniting for Peace Resolution, that where the Security Council is unable to act, the Assembly should exercise a complementary role to recommend peacekeeping operations.

The presence of a U.N. Emergency Force in the Middle East in 1956, based on a General Assembly action, is an example of this kind.

HOW TO EXPAND THE U.N.'S CAPACITY IN THE ECONOMIC AND SOCIAL AND TECHNICAL FIELDS IS THE THIRD KEY CONCERN

We agree that ECOSOC should be strengthened and, as the UNA Panel proposes, that it becomes what the charter intended—the central focus and coordinator of all U.N. decisionmaking in the economic and social fields.

At our initiative, ECOSOC has approved a resolution calling for the enlargement of the Council and the establishment of two new standing committees: one dealing with the application of science and technology, and the second with review and appraisal of progress of the second development decade.

We hope that the General Assembly will endorse this decision. We are prepared to seek support in the Congress for a charter amendment for the enlargement of the Council on the understanding that the General Assembly will sustain the steps proposed to strengthen the Council by establishing these committees.

Both panels recommend increased development assistance and more of it to be channeled through the U.N. system, including the banks and the U.N. Development Program.

This, of course, depends primarily on the readiness of Congress to appropriate the funds.

We hope that U.S. contributions to multilateral development programs—including the UNDP—will grow in keeping with the President's policy of channeling more aid through multilateral agencies.

As we have often stressed, however, and as both Panels recognize, our readiness to contribute more depends on the effective implementation of reforms to improve the capacity of the U.N. development system to handle larger resources efficiently.

Happily good progress is being made on the reorganization of the UNDP.

Proposals in both reports for mechanisms of regular consultation on development funding and priorities are of great interest to us, but we shall have to develop greater interest among other countries before we can hope to make progress in this area.

Finally, the ability of the U.N. to meet the challenge of the technological revolution is a matter of major concern.

We share the view of both panels that existing international arrangements may have to be reshaped to deal with science-related matters of worldwide concern.

New institutions and, where appropriate, legal provisions are needed to regulate access to the new frontiers of our environment, such as outer space and seabeds, and to facilitate international cooperation in the uses of the new technology.

Protection of the environment, limiting excessive population growth, and policing narcotics production and traffic are among the matters that need urgent attention.

The U.N. is moving in these areas, as a direct result of U.S. initiative.

Let me mention a few of the problems that require worldwide action now and in which the U.N. is making some progress.

At the President's direction we are making a major effort to speed international action to curb narcotics abuse.

We are now negotiating necessary amendments to the Single Convention on Narcotic Drugs of 1961 to make mandatory certain provisions for controlling production and traffic in narcotic drugs.

We are spurring U.N. action programs in education and research and to train police and customs officials.

To finance these programs the U.N. has set up a special fund for drug abuse control to which we have made an initial pledge of \$2 million.

As the Lodge Commission notes we have also been the major contributor to the U.N. Fund for Population Activities and to programs of the World Health Organization and other specialized agencies which support family planning at the request of member governments.

Under the stimulus of the Lodge Commission—and we note the UNA Panel shares this concern—we took the lead in urging the U.N. to set up a central mechanism for organizing and coordinating emergency relief for disasters.

This summer ECOSOC adopted a resolution, which we introduced, calling on the Secretary General to appoint a disaster relief coordinator to mobilize, direct, and coordinate relief activities of various organizations in the U.N. system in response to requests for disaster assistance from stricken states.

If the Assembly approves this initiative, early next year a small permanent office headed by a coordinator should be functioning at the U.N. to serve as focal point for disaster relief matters.

We are moving ahead in preparations for the Law of the Sea Conference in 1973 which will write treaty law to fix boundaries and establish rules under which all states may share the benefits of the seas and seabeds.

The President's Commission correctly assesses the dangers of unilateral extensions of national jurisdiction over ocean space and underscores the need for new international agreements.

We are also moving in the U.N.'s seabed committee—which acts as the preparatory committee for the conference—on formulating treaty articles on other outstanding ocean questions.

ENVIRONMENT

Finally, Mr. Chairman, as members of this committee know, a major U.N. effort is underway on measures to protect the environment, a major concern of both Panels.

Our aim must be not only to prevent damage to the air and water and other life-giving elements, but also to insure rational use and conservation of the world's resources.

Among the goals of the Stockholm Conference in 1972 are agreements on a declaration of principles, on recommendations for establishing machinery for monitoring dangers to the environment on a global basis, and on initial measures to curb pollution of the oceans.

We have asked the National Academy of Sciences to examine what international arrangements are most likely to help both in research and in insuring cooperative international efforts to protect the natural environment.

We expect to have its report soon as part of our preparation for the Stockholm Conference.

These, Mr. Chairman, are the main areas in which we and the U.N. system are moving toward many of the goals set by both Panels.

Progress is likely to be much slower than we would like, but it is definitely underway.

As I have indicated, we shall continue to study other recommendations to see when and how we can move toward their implementation.

Meanwhile, I hope that even this partial account of the progress already achieved will help to maintain hope and confidence in the potential of the United Nations.

Much depends on the degree of leadership and support we are prepared to give.

Thank you very much, Mr. Chairman.

Mr. FRASER. Thank you very much, Mr. Secretary.

I will begin with an item that relates to events which occurred since these hearings were scheduled. The Senate has made an amend-

ment to the Military Procurement bill which appears to erode the President's authority to maintain the sanctions required by the Security Council concerning Rhodesia. To me this bears a striking similarity to what happened to the sanctions effort against Italy before World War II, which has often been cited as evidence of an indication of the demise of the League of Nations as an effective international organization.

I would like to hear comments from our witnesses on this problem, wherein the Senate is undercutting the President's authority in this regard.

If any of you are prepared to comment on this matter I would appreciate hearing from you.

Ambassador LODGE. This was not raised before the Commission and we have taken no testimony on it, and I myself personally have not had an opportunity to study it.

I am not in a position to say anything.

Mr. FRASER. Mr. Katzenbach?

Mr. KATZENBACH. The issue again did not come up before our Panel, Mr. Chairman.

I do have views, but they are strictly personal views, not one which I can associate with the other members of the Panel.

Let me state them in three terms.

First, I never had any great conviction that the economic sanctions which were voted by the Security Council will be particularly effective in resolving the Rhodesian question, and I can understand the frustrations of sanctions that are not effective, when they increase the costs of various goods to the consumer.

At the same time, it seems to me, it was the judgment of the Security Council that they would apply these sanctions, they were binding on the member states, of which the United States is one.

The Congress in the United Nations Participation Act authorized the President in such circumstances, where such decisions were taken, to enforce them, and I think that is right and proper.

If we want to build a United Nations that is more effective, it seems to me that when the Security Council takes a step of this kind that we are all undermining the United Nations if we decide unilaterally, because we do not particularly like this decision, we are not going to be bound by it, because we think it is ineffective.

The third point that I would like to make, is that it seems to me almost unavoidable that the United Kingdom, which had started this resolution, because of the act of Rhodesia in withdrawing from the Commonwealth, will make its peace with Rhodesia.

It is not something I particularly approve of, but it just seems to me to be absolutely certain.

When that occurs, there will be a good deal of agitation among many of the African states.

There will be a lot of accusations, right or wrong, that the British Government has sold out.

If the United States takes this act at this time all of the fury of those countries will come down on the United States, rather than the United Kingdom.

The United Kingdom will say, with the rug pulled out from under us in this way, how could we make a really good settlement with Rhodesia, and the United States will take the whole blame for it.

That seems to me not the most intelligent thing the United States could do at this time in terms of our relationships with other countries.

I would add finally, although I do not think it was the intent of the sponsors of this, but if you come to this kind of action I can think of absolutely no surer way to succeed in getting absolutely that result.

Mr. FRASER. Mr. Secretary, do you wish to comment?

Mr. DE PALMA. I really think there is little I can add to the expression of views contained in the letter which Assistant Secretary Abshire sent to Senator McGee.

We pointed out in that letter that we thought it most unwise to take action at this time, that could cut across the discussions which the United Kingdom is having with the Smith regime, and which apparently have real prospect of finding a solution which would in fact resolve the sanctions question.

I must add that I really cannot understand why the United States would want to take on the onus, particularly in these circumstances, of formally disregarding an international obligation so solemnly undertaken in this case, the first instance in which the United Nations has tried to apply sanctions.

It seems to me the action is most unwise, and, if nothing else, very ill timed.

Mr. FRASER. Mr. Secretary, some of us have the impression that while representatives of the Department of State sought to have the amendment altered, or defeated, that such efforts did not reach very high in the administration, that the fact is that the White House and top officials of the administration appeared indifferent as to the outcome of the debate in the Senate. Could you throw any light on that situation?

Mr. DE PALMA. I really do not think I could comment on the real thrust of your question, but I think it is fair to say, unless Mr. Abshire and I get fired tomorrow, it can be taken as evidence that we are speaking for the administration.

Mr. FRASER. I accept that. It seems the administration is capable of speaking with more than one voice, while yours is certainly a responsible one, it may not carry all of the weight that other voices may carry.

Mr. Frelinghuysen, do you have any questions?

Mr. FRELINGHUYSEN. Yes, Mr. Chairman.

I should like to welcome to the subcommittee these three distinguished witnesses who also happen to be old friends.

It makes me quite conscious of the passage of time to hear these subjects discussed in such an illuminating way, but it also makes me feel somewhat discouraged.

Mr. Katzenbach knows I am a member of the board of the UNA, so I have had some exposure to the suggestions that have been made. Mr. De Palma, I am sure, remembers that I was a member of the U.S. delegation to the United Nations in 1965.

In many ways, that is a long time ago, but we are still talking the same language as we were then. We need to find some way to get off

dead center and rescue the United Nations from a financial crisis, but the fact of the matter is that we are not doing it. It does not seem to me a time to be optimistic. All this talk about collective action to get a settlement of the United Nations' debts really depends on the willingness of those who have been responsible for the debts, to be more forthcoming.

I do not think it really should depend on whether or not Congress will be pragmatic and flexible.

The chances are that Congress is not going to be pragmatic or flexible. The timing is important, and the timing is anything but propitious. It really does discourage me, because as a practical matter, in spite of the desire of many people to make the United Nations more effective, the U.N. seems to be heading toward atrophy.

There has been a lot of talk about ways in which the U.N. may become more useful, and perhaps there is some possibility for improvement, but how could these coordinating panels conceivably be of any value?

Mr. Katzenbach, your statement on page 3, refers to "coalitions for peaceful settlement." These would envisage members in advance, accepting as binding, certain decisions made or which may be made by a majority, in which they would not be included.

What likelihood is there that anything meaningful would develop?

What kind of agreement could you get?

Maybe Mr. De Palma said, in effect, that this does not seem likely to be a practical suggestion.

In what area of the world with unresolved problems could you expect to get meaningful commitments in advance to abide by someone else's decision?

Mr. KATZENBACH. Most of us must abide by somebody else's decisions, so that does not bother me that much.

Let me point out, one, on financing, I think a willingness on the part of the United States, to indicate that they will be forthcoming up to a certain point on any resolution of the total problem, and that they would agree to be bound by that, irrespective of principle, which is what is hanging it up now.

I think it would be helpful in resolving it.

Let me give you another example. I have been very much concerned about arms shipments, and I think one first step in trying to control the shipment of arms around the world would be to register them.

I do not think you would get everybody involved, but I would suppose a resolution to that effect, the United States could agree to be bound, by registering and stating all of the arms shipped, armed shipments it was making, if two-thirds of the General Assembly were to approve this, and if that vote were to include two-thirds of the specified list of the arms-supplying countries.

I think that would be a step in the resolution of a problem.

I see in the paper that the Panama Canal situation is kicking up again.

It would seem to me that there are resolutions there, where the United States does not have to take all of this burden on itself.

A resolution of the Panama Canal situation could be obtained, and a guarantee of free passage, the control of the rates, if this were to be agreed to by the Government of Panama, and by a specified majority,

the users of the Panama Canal, I would think that would be another kind of issue that could be resolved.

I think it requires a certain amount of imagination, and a little bit of risk taking from time to time, to do this, but, you know, Congressman, I share some of your pessimism.

One cannot avoid sharing that pessimism, so the fair statement on this is that the United States has not really taken a great deal of leadership in trying to make the United Nations more effective.

I would think that in the past 10 or 15 years, despite a good many dedicated people, as Secretary De Palma said, we have not taken the kind of leadership we could take, because we have by and large felt that each specific problem, because of the difficulties in making that institution work, is really easier to resolve outside the United Nations context.

I think the time has come when we should try to resolve more problems.

I do not think we are going to solve all of the problems within the United Nations, but we could make the United Nations more effective, and I do not think we have to wait for other people's leadership in that regard.

MR. FREELINGHUYSEN. I would not disagree with you. I do not think the United States has taken a great deal of leadership.

It is a vicious circle. The United Nations has failed in major areas where we are interested, and we seem to be left holding the bag, from the congressional point of view. There does not seem to be much reason for placing much reliance on the capacity of the United Nations to resolve problems, because it does not.

At best, it freezes them. Also the United Nations is involved in financial dilemmas, and we try to help. For example, we got the authority for the bond issue through Congress, but this did not resolve the problem. We still have France and the Soviet Union to cope with.

I also feel we should do whatever we can to make the U.N. as strong as possible.

But I am not sure how a coalition for peaceful settlement, for example, on the financial situation would prove anything.

This conceivably might be construed to be a binding commitment on the part of the United States to abide by a settlement which would simply wipe out the obligations of France and the Soviet Union, on the ground, perhaps, that they were never going to pay up anyway, and the U.N. may as well face up to realities.

Well, we might be willing to accept that result, if it was forced down our throats, but I do not suppose the result would be to make the United Nations a more endearing instrument for settling the world's problems, or for influencing results in a reasonable way.

It is possible that would not be what such a settlement would entail, but a coalition is, so to speak, giving up a substantial part of the power which we legitimately can exercise, and which we might be reluctant to delegate. I think the Panama Canal is an almost even more arguable question.

If we should decide to let the international community, apart from us, ourselves, decide how the question of jurisdiction should develop, and what role, if any, the United States should have, we are simply

abandoning legitimate areas of interest and responsibility. I would think this, quite legitimately, could arouse opposition on the Hill.

You might call this blind opposition, but I think there would be an understandable reluctance to accept this as a reasonable procedure.

Mr. KATZENBACH. I agree with what you say, Congressman, that it is true, and it is very, very difficult to understand why other countries do not always readily agree that the United States, we believe strongly, the position is the right position, but the fact of the matter is the Soviet Union and France have strong feelings, despite what the International Court of Justice has said, about peacekeeping.

I think they would be willing to help in a resolution of the United Nations' financial difficulties, if we did not cram that down their throats.

Mr. FRELINGHUYSEN. The proof of the pudding is in the eating.

I do not know how much cramming down throats there has been but it has not gone down very far.

Mr. KATZENBACH. So I wonder what our power is that we are giving up.

The power is making them agree to that, and I do not think we are giving up a great deal, because I do not know where that power is.

It was not around the State Department when I was there.

Mr. FRELINGHUYSEN. I hope it does not take another 6 years before we have a move in the right direction.

I should think the financial problem is increasingly critical.

Mr. KATZENBACH. It will not be able to meet its payroll in the future. The Congo alone, looked at from the U.S. viewpoint, is worth that whole debt.

Mr. FRELINGHUYSEN. I would like to ask Mr. De Palma one question about the possibility of utilizing the United Nations with respect to disaster relief.

I am just back from Pakistan and India, and I have strong views on that situation.

One of the major bright notes, it seems to me, is the fact that there is a United Nations presence in East Pakistan.

I get the impression that they are there because of some quiet urging by us that this would be a reasonable role for the United Nations to play.

Would you care to comment on the nature of that operation?

Mr. DE PALMA. I would be very glad to.

This happens to be a perfect illustration of a situation where we have taken a strong initiative.

The Secretary General is to be commended for having put the United Nations in the business of relief, especially since the United Nations had not acted in any way to give him a mandate to act on the India-Pakistan crisis.

Nevertheless, he saw that need and tried to meet it, but it was the United States which really put the muscle into the effort.

I think you will recall that the Secretary went to New York and had a discussion with the Secretary General.

These were public, not private, quiet efforts.

We made it clear we supported what he was doing and we got others to contribute, too.

We think we are doing more than our proportionate share in funding the United Nations' relief effort. We attach great importance to that effort, not only for its humanitarian value, but because it can provide a basis for the other things that will have to be done, to get a proper resolution of that problem. Incidentally, as far as United Nations disaster relief operations are concerned, we have long felt that the United Nations has to be much better organized to deal with these situations.

Each one comes as a crisis, and the United Nations improvises. Some of the results have been rather inefficient and not terribly effective, and it is for that reason that the United States proposed in the Economic and Social Council that the United Nations appoint a disaster relief coordinator, with power to supervise and direct the operations of the whole United Nations system, including the specialized agencies, in providing relief assistance when help is requested by individual countries.

The Council adopted the proposal, which is now before the General Assembly. We expect it will be endorsed there and for the first time the United Nations will have an organization in being to coordinate these efforts.

MR. FRELINGHUYSEN. I am glad to hear what you say, Mr. DE PALMA, for I, too, attach a great importance to the United Nations effort in East Pakistan.

I do not suppose the American people realize we have already contributed about \$154 million to humanitarian relief in East Pakistan alone, not to mention about \$90 million to India for refugee relief.

The sad part is that only \$21 million comes from all other outside sources for relief efforts in East Pakistan. This help can only be considered an effort which is above the political situation. It is an effort to do something about the emergency conditions which presently exist, and about the real threat of famine which still persists. This kind of imbalance in support for relief seems to be typical of too many of these operations.

It is true that the United States could run the United Nations out of its back pocket, financially speaking, but one of the reasons the United Nations is not more effective is that there is not more widespread understanding and automatic support for doing obvious things.

Perhaps an educational effort will be needed, and perhaps we should not be unduly pessimistic.

What I am saying, when we have a major leadership role, there is quite understandably a reluctance on the part of Congress to be overly generous, because it may mean a takeover of the entire responsibility. Also there may be an unwillingness on the part of others to help, because Uncle Sam has shown a willingness to foot the bill. I see an opportunity to be helpful, but also danger.

The President said \$250 million more is needed immediately and perhaps even more substantial money down the road.

This needs to be a cooperative effort, and to the extent it is not, I think it weakens the basic justification for an international organization as an effective weapon.

MR. FRASER, Mr. Bingham.

Mr. BINGHAM. Thank you, Mr. Chairman.

Ambassador Lodge, Mr. Katzenbach, Mr. De Palma, I want to welcome you here, and I think both of the Panels have contributed greatly to this subject.

I would like to turn to the problem of the so-called Chinese representation problem.

Some Members of the Congress have been suggesting of recent days that if the Republic of China is expelled from the United Nations, the United States fails in its efforts to keep it in, that the United States should reduce its level of contributions to the United Nations. What is your comment on that?

Ambassador LODGE. I would like to see which contributions they would reduce.

I think it is very difficult to reduce our contributions to the United Nations without hurting ourselves, too, because we are involved in all of these programs.

We believe in a lot of them, and I think you would cut off your nose to spite your face if you did that.

Also, in my 7 years at the United Nations, I learned that they do not respond to threats very willingly, but if we were to attempt to do something of that kind, it would create ill will against us, and I think we would feel it long beyond the settlement of the China question.

Mr. BINGHAM. Mr. Katzenbach?

Mr. KATZENBACH. I agree with what Ambassador Lodge had to say.

I am sure the statement was made out of great feeling of the importance of the Republic of China continuing to be seated.

I would say its effect is probably to make that job a very difficult job, infinitely more difficult.

Ambassador LODGE. Could I make a comment. Mr. Frelinghuysen remarked about the United Nations being in atrophy. I think it is very nearly atrophied now in some respects, and during the years, 1953 to 1960, while I was there, it was not atrophied, because you could get a two-thirds vote to go in and put the United Nations Emergency Force in the Gaza Strip, and in other places, and you could do things about the Congo.

Now I am told you could not possibly get a two-thirds vote for anything that is innovative or constructive.

My hope for the future of the United Nations is that if you have got both Chinas in there, if you get both Germanys in there, you do not necessarily need to exclude North and South Korea and North and South Vietnam and Switzerland, but include them all, and let's get them in there, the United Nations will become a very important place, and who knows, it may be possible with that new lineup, to get a two-thirds vote, and the United Nations will once again become what diplomats call a "power fact," and I agree, it is not that today, but that I think is a very real hope.

Mr. BINGHAM. Secretary De Palma, there have been reports in the press that Ambassador Bush, in his efforts to persuade nations to support the U.S. position with regard to the Republic of China, has suggested that if the Republic of China is expelled, the support of the Congress of the United States may be diminished.

I would like to know if that is the American position, and if that kind of threatening attitude has been maintained by the U.S. delegation to the United Nations?

Mr. DE PALMA. All of us working around the United Nations share the views expressed here that that kind of attitude is not really helpful in these circumstances. I can assure you that no threat of that kind is being made.

The fact remains, however, that if this is the attitude that is felt in the Congress, it is a fact of life with which we all have to reckon. However, we are not using this threat as part of our argumentation for the position on Chinese representation which we have proposed.

Mr. BINGHAM. I am glad to hear you say that.

I would like to say that nobody can speak for the Congress in this matter, neither Senator Buckley, nor Senator Taft. They do not know how the Congress would react to this matter.

There are many Members of the Congress, and I would venture to say, a majority who feel that if we lose this battle, we still have to stay with the United Nations, and we still have to maintain our support for it. It certainly is not true however, as has been suggested, that these two gentlemen speak in any way for the Congress.

I would like to pursue this question just for a moment with Mr. Katzenbach.

I gather that you had some doubts about the reality of the American position. I wonder if you would agree with me, that part of the trouble with our position was that we were trying to save a seat for the Republic of China, which certainly claims to represent all the people of China, not just the people on Taiwan. It was suggested that if we would try to keep a seat just for a government representing Taiwan, and look for a determination for the future of Taiwan, that would have been a wholly different proposition.

Mr. KATZENBACH. I think it would have helped. I do not think it would have solved the problem, as far as either of the two governments of China are concerned.

My concern, and I think it was the concern of the Panel, we thought the Republic of China has been a good member of the United Nations, and it does effectively govern in Taiwan, and as part of the principle of universality, we thought it should have a membership along the lines we are talking about.

The Panel also felt that the matter of primary importance is the admission of the People's Republic of China, and we have to stress the primary importance, because too many doubt that it would be possible to achieve another result.

I am concerned that if we were to be successful, as with the American proposal, the result would be that the People's Republic will not come into the United Nations, not this year, but at this time next year, the United States will either lose on that position, or change its position.

I do not really think as a practical matter, nor do I really think I am sympathetic with the views you state. I suppose it is totally unacceptable to the Republic of China, and probably equally unacceptable to the People's Republic, so I am not sure if that is a winner argument.

Mr. BINGHAM. Are we to be bound by what both governments who claim to represent China are saying.

We also have to bear in mind the people, the 11 or 12 million people who are Taiwanese. I am concerned that the Secretary's statement the other day at the United Nations seemed to adopt the position of both Chinese governments, that Taiwan is an integral part of China, and I think some day we may come to that position.

It is not an integral part of China and should not be disregarded.

Mr. KATZENBACH. I do not disagree with what you are saying.

I would emphasize, as unhappy as it might be, that the Republic of China was not in some capacity there, that the important thing in the point of view of the United Nations Panel Association was that the People's Republic should be a member of the United Nations, and it should hold a seat in the Security Council and in the General Assembly.

Mr. DE PALMA. I wonder if I may take up one point. I believe that is a misreading of what the Secretary said.

We have in fact been very careful not to take a position on that issue.

The proposal we have made has not asked the Assembly to take any position on the issue of the respective claims of either party, or on whether there is one China or two Chinas.

We deliberately sought to avoid posing that issue. We want the U.N. to deal with the practical fact that there are two governments. We hold that would be better for peace in the area for the United Nations to adopt a proposal which would have the effect of providing for both to be represented.

Mr. BINGHAM. I am glad to hear you say that, but I read the Secretary's speech carefully. While he did emphasize that there were 13 million people on the island of Taiwan in parts of his speech, and particularly as with reference to the name of the Government of the Republic of China, it implied he was recognizing that the Government claims to represent, not only the people of Formosa, but also the people on mainland China.

It seems that is the essential flaw in our position. You cannot have two governments in the Organization who claim to represent—who have conflicting claims—to represent the same people.

Mr. DE PALMA. That is not a factor in our position. We are dealing with the simple reality of the existence of the two governments.

We are urging the United Nations not to get involved in trying to adjudicate between the two claims, but simply to deal with the reality of the situation.

Mr. FRASER. Mr. Dellums.

Mr. DELLUMS. Mr. Chairman, I join in welcoming the distinguished panel.

I appreciate the desire of your Commissions to avoid discussion of political merits, and demerits of the Vietnam question. However, I find the references to Vietnam unsatisfactory.

In your desire to make multilateralism look realistic, the Commission seems to imply the United Nations would merely be a more effective way of accomplishing our political objectives in Vietnam.

This leads to several questions, one of which I would like to ask Mr. Katzenbach, and that is, what exactly is peacekeeping, and does that describe what we are doing in Southeast Asia?

Mr. KATZENBACH. I think peacekeeping is something which prevents war from breaking out, or at least minimizes a dangerous situation.

The purpose of peacekeeping is to attempt to establish order, to establish it quickly, and to prevent a conflict from breaking out in the area.

That is the concept in the United Nations Charter, the concept in peacekeeping operations.

That has not always been true. In Korea, I suppose as a peacekeeping operation, that was a pretty expensive peacekeeping operation involving a good many lives that were lost, a good many millions of dollars that were spent.

That did end up in a resolution, a situation not totally satisfactory to perhaps anyone, but a situation which has remained relatively peaceful since the end of that operation.

With respect to Vietnam, as it is now, I do not think it is a peacekeeping operation.

I think it was well intentioned at the outset, and I think the hope at the outset was that it would not be anything like the size of Korea, but as it has worked out, I think it is very difficult to describe as a peacekeeping operation, in view of the huge loss of life, and the fact that the issue is, in my judgment, as unresolved today as it was 6 or 7 years ago, despite the loss of life, I would not say that is a peacekeeping operation.

Mr. DELLUMS. Thank you.

Mr. Lodge, exactly which of our objectives in Vietnam could have been better accomplished through United Nations action? Were these the objectives that actually motivated the U.S. policy in Vietnam? And what happens when our political aims are essentially incompatible with United Nations involvement?

I am now asking these questions, because your Commission made essentially the same sort of statements on this issue as Mr. Katzenbach's Commission.

Ambassador LODGE. I think it is a very proper question.

My view was that what we were doing in Vietnam, at the beginning there in 1963 and 1964, was in keeping with the language of the charter, and I am quoting from memory, which puts down as one of the prime purposes of the United Nations, the "suppression of acts of aggression."

At that time we thought, and I thought, that there was aggression.

First it was a covert aggression, and then it was an overt aggression, and it was in that spirit that I understood that the action was taken. Then of course, as everybody knows, the cost of the enterprise became unbearable in many, many ways—in human life, and in distress here in this country. It became obvious that the whole operation should be terminated, but at the beginning, I think it came under that provision of the United Nations Charter.

No action had been taken officially, I do not mean legally, but in spirit, I think that is what was attempted.

Mr. DELLUMS. Mr. Katzenbach, is multilateralism merely a way of avoiding political embarrassments of bilateral involvement?

Mr. KATZENBACH. I think it helps a good deal, if it is not our own unilateral decision. I think if this is something which a number of positions are involved, a position which a number of states share, and one in which they continue to participate, I think the chances of making errors, and of taking the consequences of those errors is considerably less.

I think you also sacrifice your own ability to do it exactly the way you want it, but I do not think the United States has that kind of ability in the world today, to make the rest of the world shape up and do the kind of things that we would like them to do.

I think we have to work through political processes abroad, just as we work through political processes here in the Congress, the executive, and in the States, and so forth, not always getting everything everybody wants, but aiming for some kind of consensus, which I do not regard as a dirty word at all, some kind of agreement, that this is what should or should not be done.

Mr. DELLUMS. I have one other question, Mr. Chairman.

I would like to go back to a topic opened by the chairman, Mr. Fraser, regarding the whole question of sanctions.

Could the Secretary General call upon member governments to take over sanction breakers, that is ships which have violated the sanctions, and once they have reached their destination—impound them, and confiscate their cargoes? Would the United States support such a policy?

Mr. DePALMA. Congressman Dellums, I would like to respond to the last part first.

I frankly do not know whether we would be prepared to support such a policy because I do not know how practical it would be.

I think in theory the Council could take such action; however, I have a feeling if the matter were put to the Council, the question would not be resolved in that way.

Mr. DELLUMS. Thank you, Mr. Chairman.

Mr. FRASER. Mr. Findley?

Mr. FINDLEY. Thank you, Mr. Chairman.

Mr. Katzenbach, one of the things that has troubled me very, very much in recent years is the fact that the judicial arm of the United Nations, the International Court of Justice, has just about ceased to exist as a functioning organism, and I am inclined to think that the present administration has done about as much as its predecessor in attempting to get the disputes before the ICJ.

You served as Under Secretary of State, and as Attorney General in the previous administration.

Looking back on your experience, what would you have done differently to have made the ICJ a more effective instrument of peace?

Mr. KATZENBACH. I think it is very difficult to accomplish what you would like.

I think it is difficult for these reasons, I think governments are very reluctant to submit disputes which have a high political content to a judicial body where it becomes the resolution, essentially, of political disputes.

We have come to accept a certain amount of that with our own Supreme Court, although sometimes there are those who think it has gone too far, and should more strictly construe the law.

Mr. FINDLEY. They do not seem to put the lesser legal issues before the Court either.

Mr. KATZENBACH. I think that is right, and it is basically because we always think we can resolve these issues more easily through some political channel and more to our satisfaction.

So I think it is safe to say, even on a lesser issue, we feel we can do it ourselves.

I think there are things that could be submitted to the Court, and I think we should at least make the effort to submit things.

Well, as far as the United States is concerned, I would think that there were issues with respect to treatment of U.S. property, U.S. nationals abroad, that we should be willing to submit to the Court, if the other country involved is also willing to accept that judgment.

I think we could make more use of it.

Mr. FINDLEY. Why is it, when you were in a position of authority, what kept the Court from being a busy place?

Mr. KATZENBACH. I think the honest answer to that is probably because so many other issues came up, that had priority and took time, and I think if the Court is to be made effective, it is probably going to be made effective because of some fairly concrete proposals that are made, and that these get some support, and governments have to pay some attention.

Now, I really doubt that making the Court more effective is very high on the priorities that the State Department now has, but it was not very high at the time I was there. Even though everybody thought it was a good idea, nobody did much about it.

Mr. FINDLEY. Is there anything about the organization, the structure, the statute, that needs to be changed, in order to make the Court better?

Mr. KATZENBACH. I think it is basically the attitude of the member governments.

Secretary Rogers has a useful suggestion that, perhaps, takes some of the political difficulties out of having judges from states not involved, or the region not involved decide, it will help to make it more politically acceptable.

Mr. FINDLEY. Actually that is permitted under the statute now?

Mr. KATZENBACH. Yes.

Mr. FINDLEY. Back in 1968, I believe it was, I suggested giving the ICJ quite a letter of assignment.

I proposed our Government seek to place before the Court the fundamental issues involved in the Vietnam war, and there are some pretty fundamental issues. A letter eventually came back to me stating that the issues there were primarily political, not legal.

That was the justification for not pursuing this course of action.

As you look back, is that a valid approach to the proposal?

Was it simply impractical to attempt to even place the great legal issues in Vietnam before the Court?

That could have been a way out for all parties, a face-saving way out for all parties.

Mr. KATZENBACH. I would think it would be very difficult under the circumstances.

I do not suppose the Government of North Vietnam, not being a member of the United Nations, would have accepted an adjudication by the Court.

Maybe I am just making excuses when I say that. I really doubt that any administration, having made up its mind, rightly or wrongly, about what it felt was an issue, as to the importance of Vietnam, would be willing to submit that issue, to a binding judgment, of another body.

I think there would be tremendous reluctance. Of course, one of the reasons the Court has not done more because the U.S. Governments' own attitude has not helped that, and the effect of our adopting the Connally amendment was to get everybody to adopt that device so nobody is willing to submit any issue to the Court that they regard as an internal matter as far as they are concerned.

Mr. FINDLEY. Thank you, Mr. Chairman.

Mr. FRASER. As you notice, we have a quorum call, and this has caused some of our membership to disappear, but I think some will be back.

Could I just followup on that last question, Mr. Katzenbach?

Would you favor the repeal of the Connally amendment?

Mr. KATZENBACH. Yes; the Panel does favor that repeal.

We also suggest further, if there is any chance, and I would say we will agree, and the other states involved agree, to submit any interpretation or dispute about the interpretation of any resolution or any binding action of the Security Council to the Court.

Mr. FRASER. Mr. Secretary. I would like to go back to the points on which Mr. Frelinghuysen questioned you concerning Chinese representation.

This is for my own clarification, but as I understand the status of the matter in New York, there are two delegations, two governments, each claiming to represent China. I understand the problem to be essentially a matter of credentials; that is to say, when you have two competing governments, each claiming to govern China, that what the General Assembly has to do is resolve which one is the rightful possessor, which one has the best claim.

Am I wrong in identifying the issue in those terms?

Mr. DE PALMA. No, Mr. Chairman, you are not wrong, in the sense that it is obviously the view taken by many members, and I guess I could say a majority of the members.

We have tried to point out that that is really not facing the actual facts in the situation.

Regardless of the respective claims of the two entities, you do have a government for the Republic of China, which has been in being, for some 26 years.

It is likely to be there for the foreseeable future. The mainland government obviously does not represent the people on Taiwan, and we are asking the Assembly to deal with the situation in a practical way; that is, to make it possible for both to sit in the Assembly so that the problem can be tackled in an evolutionary way.

We are trying to point out that a decision which results in expelling the Government of the Republic of China would not contribute to a resolution of the problem. In fact, it could heighten tension in the

area; it could bring about a situation in which the claim of Peking would appear to be reinforced by the United Nations and I do not know what the consequences of that could be. So we have asked the Assembly to deal with the practical reality, and not with the respective claims.

We are not trying to settle those in the Assembly. The Assembly is not a court of law. It is a political body. It ought to try to have in its membership the governments which are governing the peoples of the world.

Mr. FRASER. If the contest is for a China seating, that is, there is only one China seat in the United Nations, here you have 97 percent of the population under the Peking Government, and between 3 and 4 percent controlled by the Nationalist Government, but both asserting to be the rightful possessor of that seat, my impression is that the United States has taken a very impractical position. If one wants to move beyond what seems to be a rather simple legal question of who has the rightful claim to one seat, it seems to me that the United States is being quite impractical because, if we prevail, the result will be no change at all in view of the fact that the People's Republic has taken the position that as the rightful owner of the one seat, they are not going to sit unless that right is recognized. And it seems to me that the issue before the United Nations is: does Peking have a superior claim?

Mr. DE PALMA. I think no one really knows what Peking would do.

We know what they have said in the past, and they seem to show the same capacity for changing their minds as other governments do.

In our own proposal, we have recommended that the Security Council seat for China be held by the representatives of the People's Republic of China.

That seems to be the reality of the situation, and we are willing to face it, but we think it is equally realistic to acknowledge the fact that there are 14 million people who are not governed by the People's Republic of China, and who also should be represented in the United Nations.

Mr. FRASER. I agree that Taiwan ought to be represented, but I would suppose that what is at issue now is the question of who has the China seat. It is the People's Republic of China that clearly has the best claim, and if Taiwan is to be admitted, as I hope it would be, it should do so as a separate government applying for admission as a new member. I gather what we are trying to do is in effect bring in or create another seat that does not now exist.

Mr. DE PALMA. If that were an option, I am sure it would have been acted on by our Government or by some other government.

The main fact is there is no way to bring in the Republic of China, under any name, as a separate member.

You realize that if you get the People's Republic of China in the United Nations, it will sit in the Security Council. It will then have a veto on membership in the U.N.

It will not vote to admit an entity called Taiwan or whatever.

There is no other option for keeping in the Republic of China. I think we are trying to deal with the situation in the only fair and just and practical way that is possible at the present time.

Now, if you want to be purely legalistic, and I use the word advisedly, you can find all kinds of legal obstacles, but they would all result in ignoring the fact there are these people in the Republic of China who would not be represented if you simply threw out their Government and opened the seat for the People's Republic.

Mr. FRASER. I would not contest that. It is true that other nations are not now represented in the United Nations.

Mr. KATZENBACH. I just would like to add a word on that.

What you say, the proposal you make is obviously the straightforward way of dealing with the problem, simply deal with the credentials problem.

I do not think it is legalistic. I think that is the straightforward way to deal with it.

Let me say in support of Mr. De Palma, the United States has never dealt with the problem in that way, nor has the other side.

The Albanian resolution, which has been up there since time immemorial, has always said, we are going to recognize the People's Republic, and we are going to kick out the Republic of China.

Now, under your proposal, there is no kicking out. It is simply a credentials matter, who represents the Republic of China, and that is the end of it, and if anybody else wants to be in there, they better find somebody they represent, and go through the procedure of admission.

I am sure that Mr. De Palma is right in saying that if you followed that rule, you would not get in in the immediate future, the Republic of China or Taiwan being admitted to the United Nations.

My only disagreement is, while he says the People's Republic of China may change their mind, I do not think that anybody deep down really believes that.

Mr. FRASER. Just one other question on this, for my own understanding.

I understand that part of our problem is that the Albanian resolution will be voted on first. What would we have had to do in order that our position, aimed at retaining Taiwan, would come up first for consideration in the General Assembly?

Mr. DE PALMA. There is not much of anything we could have done.

The Albanian proposal has been up for years. It is sort of a standing proposal, and it represented the views last year of a bare majority of the Assembly. Therefore, it is clear that there are the votes to press that proposal above any other, and assure it would get on first. We made no effort to beat them to the punch. What we are doing instead is to say we should vote first on the question of what kind of a majority is needed for the proposal which has the effect of expelling or depriving of its representation the Republic of China. We are saying that such a resolution should in the spirit of the Charter require a two-thirds majority, and, therefore, we expect the important question resolution, as we call it, to be put to a vote first. Then I would expect that the Albanian resolution will come to a vote, and if that is defeated for lack of a two-thirds majority, then there would be an opportunity to vote on our dual representation resolution.

Mr. FRASER. I would have thought it more useful from our point of view to have our resolution voted on first.

Mr. DE PALMA. It would, and if we could, we would do it that way.

Mr. KATZENBACH. I think we would have to have had proposed it 19 years ago to accomplish that.

Mr. FRASER. Does a proposal submitted in a prior session carry over?

Mr. KATZENBACH. No, sir; I was merely saying this has become almost a standing proposal.

Mr. FRASER. I am familiar with that fact.

Mr. DE PALMA. No; it does not have priority because it was there last year.

Mr. FRASER. If we had moved early enough, could we have been No. 1 on the agenda?

Mr. DE PALMA. We could, although in that case, there would even have been a fight on the floor.

The Assembly can decide under the rules to take the proposals in the order submitted, unless the Assembly decides otherwise.

I think the situation is such that the votes probably were there to have taken a decision to take the other one up first, and we had to take that into account too.

Mr. FRASER. Where do we stand now on the number of votes?

Mr. DE PALMA. It is a real horserace, Mr. Chairman.

I think it is very close. We think we have a decent prospect for winning on the issue, but I cannot say as of now we have a certainty.

I do not think anyone is in a position to predict the actual vote right now.

There are too many governments which are still sitting on the fence.

Mr. BINGHAM. Mr. Chairman, on this point, Mr. De Palma, assuming, if we are successful, we will then have the People's Republic of China and the Republic of China, both as members of the General Assembly.

What will our rationale then be for saying the Security Council seat should go to the People's Republic of China, in view of the fact that the Charter names the Republic of China, as being the permanent member of the Security Council by that name?

Mr. DE PALMA. Well, our rationale is really based on acceptance of the fact that a large majority of the governments, and we have ascertained this through some very extensive consultations, are firmly of the view that the seat for China in the Security Council should be held by the People's Republic of China.

There is no getting around the fact that the votes are there to make that proposition good.

It seems to be in accord with the realities of the situation.

As for the name in the Charter, we do not really attach much significance to that.

I admit that if the kind of solution we have proposed is adopted by the Assembly, it would be right and proper to follow it up in due time with a consequential amendment of the Charter to get the name changed, but this does not seem to be determining in any way at the present time.

The name happens to be the name of the government which was representing China at the time the Charter was adopted. Other governments have changed their names without having to go through any procedures in the General Assembly.

All that happens in the General Assembly is that the name plate is changed.

Mr. BINGHAM. I can see the validity of that argument, if you take the position that the whole representation for that government changes. But in view of the position you have taken, China, that is the Republic of China, is still entitled to membership. It seems to me it is a very embarrassing situation to say they have to give up the Security Council seat, particularly in view that the name of the Republic of China was deliberately chosen in 1945, because at that time there was a Communist government claiming control over a considerable part of China, and I imagine that was a very deliberate intention, to say that the seat belongs to a government by the name of the Republic of China; however, I will not press the point.

I guess it is the position of the United States that we are going to prevail, and we will not be confronted with that particular embarrassment.

I would like to ask some questions on some other matters.

Mr. Katzenbach, I was very much impressed with your Panel report, and as a former representative to the Economic and Social Council, I am particularly delighted by your recommendations.

I am sorry that a matter which I consider to be of first-rank importance in terms of the building of a world; namely, the control of the seabeds beyond the Continental Shelf, is only just barely mentioned. There is no strong recommendation that it should be a matter for international control, and potentially a matter of very great usefulness to the United Nations, and as a source of financial support. Was there some reason for the Panel's not considering that matter very closely?

Mr. KATZENBACH. The only reason, Congressman, is not because any members of the Panel did not think it was important, but simply because there were many issues of this kind, that we were simply unable to take up, and still get a report out.

We were concerned, for this is a very important session of the General Assembly, to get a report out before the end of that session.

Its omission does not mean the Panel or the members of the Panel did not think it was important.

Narcotics is another matter, which we thought had importance. But we did feel that concentrating to some extent on procedures, we would be able in that way to strengthen the substance of what might be done.

Mr. BINGHAM. I do not know if you have been able to study the proposals submitted by the administration in this regard, some of the conflicting views presented, particularly in the reports submitted by the Committee on Interior, or the Subcommittee on Interior of the Senate. But would you care to state your general views about the significance of this area, as one where we could go toward a greater degree of international anarchy, or a greater degree of internal control.

Mr. KATZENBACH. I think really that is a very good statement of the problem.

I think there are resources clearly in the seabeds, and a failure to deal with this internationally is going to inevitably result in a group of conflicting national claims, so I would think that in a sense you would try to deal with it internationally, although I have some sympathy with those trying to deal with it internationally, since it is not an easy problem to get an agreement on.

So much goes by default, the failure to achieve an agreement internationally does mean that it almost inevitably terminates in partial

solutions that are taken, and probably the problem becomes complex as time goes along.

Mr. BINGHAM. Is the position outlined by the President at one time in submitting the proposed treaty still the position of the administration?

Mr. DE PALMA. We have not backed away at all from the basic proposal, or from our desire to achieve an agreement in that framework.

Naturally, we are going to have to take into account the negotiated situation, as Mr. Katzenbach said.

I myself have never seen an issue as difficult as this to resolve, with so many conflicting pressures, coming from so many different quarters. As you know, even in our own country it is difficult to put together a concerted position. So it will be necessary to take into account the negotiating prospects. We will want to make such adjustments as are absolutely necessary to get the support we need to reach an agreement, but without sacrificing the principles.

We have not changed our view at all on the basic principles embodied in that draft treaty.

Mr. BINGHAM. I have this one last question. In your statement, on page 20, Mr. De Palma, you referred to two new standing committees you proposed to reconcile.

I am puzzled as to the rationale for the particular division of the responsibility that you outlined there. Review and appraisal of the second development decade seems to me to involve innumerable ways to the question of application of science and technology.

I do not know how you can make that division of labor work.

Can you spell that out for me?

Mr. DE PALMA. The division exists now; we have separate entities dealing with these questions.

They are of course also dealt with together in various forms.

What we are trying to do here is to take the only step we found open to us toward a more effective Economic and Social Council.

We have felt that there is a strong need for a central coordinating mechanism in the United Nations to deal with science-related issues.

Quite frankly, we would like to have gone beyond this.

We have been unable to get support, and we have had to make this kind of compromise, which would at least have a committee in being, which would deal with all of these science-related questions and the application of science and technology to development.

Obviously, its work will relate to the work of the United Nations Development Program and others but we think it is useful to have a science body, which could be a focus for attention by experts, rather than have this issue dealt with in passing by other bodies. With respect to the committee for review of the progress of the second development decade, here again, quite honestly, we have made a compromise. We think more is needed. Both of the Panels whose reports we have before us recommended a more far-reaching measure—a real mechanism for appraising the needs and dealing with the financial inputs in a coordinated way.

We are simply not able to get the required degree of consensus to bring that about. We are moving as far as we think we can go at this stage, at least to get one body where every aspect of development during the decade can be looked at periodically. We can then see if

things are going wrong and whether something can be done to straighten them out.

These are pragmatic adjustments to what we find as a reality in the United Nations.

Mr. FRASER. Mr. Hungate.

Mr. HUNGATE. First, of all, I want to thank this committee for its courtesy to extend an invitation to me, and I am quite impressed with the stature of the witnesses.

Mr. Secretary, I attribute the quality of the witnesses to the fact that Secretary Rogers and Mr. Katzenbach have been before the Judiciary Committee.

Mr. Katzenbach, now, with regard to Mr. Findley's questioning, he inquired regarding procedures of the International Court of Justice.

I notice that the Lodge Commission, the President's Commission, of course, refers to the procedures of the Court.

Do you agree with some of the rules of the International Court of Justice?

Do you feel they are archaic?

Mr. KATZENBACH. I believe some of the procedural rules in every court I have been in are archaic.

Yes, some of the rules are, it makes it long, drawnout, because it really is performing so many different functions in terms of fact-finding.

Mr. HUNGATE. I realize the questioning would be more appropriate to Secretary Rogers, but do you consider the rules to be archaic?

Mr. KATZENBACH. They have no really efficient way of finding the facts.

You have a very large court involved in this, and none of the sorts of procedures that we find in our judicial system are there, but forgetting the stipulated facts, forgetting panels of the court to produce facts, you do have a very long drawnout procedure. There are long, drawnout arguments.

Mr. HUNGATE. Procedures like depositions they do not have?

Mr. KATZENBACH. That is correct.

Mr. HUNGATE. I thought I understood in your earlier testimony you said the United States for one could make an effort to make the United Nations more effective.

Could you name a few facts that could make it stronger?

Mr. KATZENBACH. I do not really think that I can. The point that I was making, Congressman, was that really, while the United States could have a reasonable opportunity of commanding majorities, both within the Security Council, and within the General Assembly, the United States could take matters, and has taken matters, to the Security Council that were highly predictable, that a majority of the Security Council would vote with the United States, and the Soviet Union would veto, but it would show how isolated the Soviet Union was.

The result of this has been in more than a decade, it seems to me, the United States has not been willing to try to make the United Nations effective, because we have been concerned about the compromises we would have to make. We have been concerned about the results that would come out from our point of view. So that I think that it is really

not an exaggeration to say, despite all of the words of praise for the United Nations, the words that flow from most people in political life on almost every issue, that we are often concerned to prevent the United Nations from doing something disastrous from our viewpoint and take steps to deal with the problem outside of the United Nations framework.

That was really the background against which I was commenting.

I do not think other states have been particularly good in using the United Nations, and indeed, many of the states have used the United Nations, and are using it today, for their domestic political purposes. This is why the General Assembly has been so ineffective.

Mr. HUNGATE. Would it be fair to state that the increase in micro-mini states, or whatever has led to this sort of problem, contributed to it?

Mr. KATZENBACH. It certainly has contributed to it, plus the fact, if the United Nations is not really going to be effective, it might just as well be used as a forum, to kick around the United States, or other imperialists, capitalists, whatever adjective you want to use, even though nothing comes out of it.

Mr. HUNGATE. On this issue, page 3 of this statement, it says:

At the same time, we have written off the remedy to this, that is, weighted voting, on the equally correct ground that a General Assembly numerical majority would probably never agree to have their power weakened.

I wonder, when you speak of the development of a coalition, where the stimulation on the vote might be, could it be of a simple majority, three-fourths, four-fifths, and would this be also a way of diluting voting power?

Mr. KATZENBACH. Absolutely. That is in a sense one of the purposes of it.

If you cannot get a formal charter amendment, which I doubt very much you can do, although it would be desirable, we can go in with our own weighted voting on an issue.

You do not have to amend the charter.

Mr. HUNGATE. Well, I recall that you are a staunch friend of one man, one vote principle.

I wondered if we see a possibility to extend that in some way?

Is it too far afield to think that such a thing, as international voting registration, that might increase the weight of voting, according to the number of voters that are actually registered in the countries, or trying to provide some method like that, so that the people have a direct relationship to the delegates in the General Assembly?

Mr. KATZENBACH. I suspect that is pretty far down the road, Congressman, and I think the immediate reaction of many, perhaps even your colleagues, would be. There are an awful lot of Chinese.

Mr. HUNGATE. Most of them are not registered.

Mr. KATZENBACH. If you could have a population basis, it would come out with a very, very heavy weighting on issues, toward the less developed part of the world.

Mr. HUNGATE. As I see it, in your report, page 13, while we have considered in our deliberations some possibility of charter amendment, we have concluded in the period immediately before us, Charter amendments are not the best hope for U.N. reform.

I take it you are probably familiar with Dr. Carlos Romulos' statement on this which would be, even if all possible procedural reforms were instituted, it would still be necessary to face squarely inadequacies, which in the passage of time have come to light in the Charter itself.

Mr. KATZENBACH. I am not opposed to charter amendments.

I think it would be very desirable to have a charter amendment.

Mr. HUNGATE. I am going to quit, Mr. Chairman. Thank you very much.

Mr. FRASER. Mr. Frelinghuysen.

Mr. FRELINGHUYSEN. I have only a couple of questions, Mr. Chairman.

I was wondering, Mr. De Palma, if you could tell us, what is the Hambro proposal. In your testimony, you slid over the significance of it.

I do not understand from reading the full statement, just what is involved. Is it a realistic suggestion?

Mr. DE PALMA. Mr. Chairman, that all depends on how the others, those who have been withholding contributions, react to it.

It could become realistic if they reacted positively, and it could be wholly unrealistic if they do not.

I have tried not to get into the specifics of it, because, as I say, the matter is under discussion now, and I do not think Ambassador Hambro regards his proposal as a fixed proposition, but as a suggestion, a basis for a settlement.

What it involves is dealing with the entire problem, not just one part of it.

It involves dealing with the problem of the older arrearages, the currently accruing arrearages, the question of settling the bond issue—putting everything in one pot, and trying to get a total resolution of the problem, so that you not only clean up the current situation, but avoid having a new deficit start to accrue immediately thereafter. It is a rather difficult and massive proposition, but in essence, the problem is very simple: We either get assurances from the others who are responsible for these deficits that they are willing to make a substantial contribution so that we can bring an interesting proposition to the Congress, or, in our view, we have nothing we can work with. We are waiting to see if that will materialize.

These discussions are underway right now; they are in a preliminary stage, and I honestly cannot predict what the outcome might be.

Mr. FRELINGHUYSEN. The comprehensive approach is a noble objective, and it might be a step forward.

On page 12, you said that a coalition would resolve the U.N.'s liabilities.

I do not know how but you would provide money from various sources, and I suppose that would cover the liabilities, including the bonds.

What does this mean: "Remove from the budget certain controversial items on which the Soviets and others withhold payments, thus building up new arrearages"?

You remove them by disregarding them?

Mr. DE PALMA. You remove them by getting agreement that certain items now in the budget will no longer appear there.

This has to do with such items as part 6 of the United Nations budget, where almost \$7 million has in recent years been allocated for various kinds of technical assistance activities.

For example, technical assistance might be taken from the regular U.N. budget, and put under the U.N. Development Program.

One reason is, the Soviets contribute their share of part 6 of the U.N. budget in nonconvertible rubles, instead of dollars, or other convertible currencies.

The U.N. cannot use most of the rubles, and the Soviets are in arrears to the extent the rubles are not used, thereby piling up continued arrearages.

Ambassador Hambro feels it would be useful in getting a solution to deal not only with the amount of money that is already a deficit, but to deal with the causes for the continuing arrearages.

As for your suggestion, that perhaps we ought to deal with part of this problem if we cannot deal with the whole, I admit that sounds very practical, and I have been stressing practicality and realism. But I would have to ask myself how realistic it would be for us to come to the Congress with such a proposition and say we have a basis for cleaning up this part of the deficit, but I am sorry to tell you that the deficit will still continue to accrue, because there are other elements of the problem which are unresolved.

It has been our assumption that that would not look very interesting to the Congress, but maybe we should consider it.

MR. FRELINGHUYSEN. This elimination from the budget would only be in the context of an overall settlement? Would this result in payment, and a tacit recognition that there would be paid *x* amount?

It would not be meeting an obligation?

MR. DE PALMA. We are not discussing this in terms of principles in the article 19 controversy. We are discussing it in terms of fixed amounts of money which have to be paid.

MR. FRELINGHUYSEN. I have no further questions, Mr. Chairman.

MR. FRASER. Mr. Secretary, permit me to return to the sanctions problem. One of the impressions that I have is that if the United Nations is to become stronger in its capacity to maintain the peace, it must be able to deal effectively with the problems in front of it, and this brings me back to the sanctions problem.

When this subcommittee held hearings earlier this year on the sanctions problem, I must say I had the impression that although the United States was attempting to maintain compliance by U.S. citizens and businesses, we seemed to take very little interest in the general problem of compliance. I am astonished. I was astonished, and continue to be, that we could not find out from the representatives of the administration where the Rhodesian items were going, that were obviously flowing into the world market from Rhodesia, or who was purchasing them.

My understanding is that sanctions is one of the few devices available to the United Nations, short of the application of direct force, to carry out its objectives. Yet, in this one case where we have employed sanctions, I have the impression it is being done with a lackadaisical attitude of "business as usual." Am I wrong about this? Do we have people in the U.S. Government who are following this diligently,

identifying the countries that are breaking the sanctions, breaking the restrictions voted by the Security Council?

Mr. DE PALMA. Mr. Chairman, we do follow it, but your question, I take it, is whether we have established a mechanism that can really ascertain the facts, and check on the situation around the world. I do not know that we have.

One reason we have not is that we have been relying on the United Kingdom which has assumed as much of that responsibility as it could. The United Kingdom reports periodically to a Sanctions Committee on the evidence it gets of violations, and we have supported the United Kingdom in seeing that those cases are checked out. But I have to admit that enforcement has been less than perfect.

This is a problem that one has to face with sanctions, and this is the reason why I think sanctions should be a matter of almost last resort.

I do not think we have ever had, and we do not have any evidence of sanctions working perfectly at any time that I know of.

Mr. FRASER. There seems to be a lack of will on the part of nations, clearly in the case of chrome, since it is fairly clear that chrome is getting into the world market from Rhodesia. It is clear that chrome must find its way primarily to developed nations; that is, they would be the principal producers of stainless steel, and steel products for which chrome has the primary use. It would seem to me the United States or the United Kingdom should find out what is happening. I do not know what is on file in the United Nations with respect to sanctions, but I would have thought, if our administration cared, not necessarily about Rhodesia, but about the effort of the United Nations, that we would be more knowledgeable in this matter than we seem to be.

Mr. DE PALMA. I am not in a position to talk about countries and allegations in an open hearing. We could find an occasion, however, to discuss such evidence as we have, and what we have done.

I can say, and I would say here on the record, that I can speak from personal knowledge of efforts that we have made to bring to the attention of a specific government allegations of violations. And we have suggested, for example, that there are ways of checking on the origin of chrome.

We know that there is a reasonably effective chemical test that can be made—it can be almost foolproof—to ascertain the origin of chrome. We have been urging that the governments apply this test so we can get at these violations.

I have to tell you, there is considerable resistance to strict enforcement.

Mr. FRASER. Well, I would think this is a matter that should not be left to the nonpublic side of diplomacy, that in the United Nations, violators ought to be identified.

Mr. DE PALMA. There is a committee which considers them periodically, so there is a record of these alleged violations.

Mr. FRASER. Mr. Katzenbach, the question I have is a rather general one. You are head of a committee which has produced an excellent report, and obviously a very thoughtful one. Ambassador Lodge undertook a similar effort, and I suppose these suggestions have been made

before, but somehow along the way, nothing happens, or very little happens. I think the majority of the subcommittee holds the view that the United Nations should be made more effective, in our own interest as well as that of the world community.

What would you suggest to us to assure the maximum possible consideration and perhaps implementation of your proposal?

Mr. KATZENBACH. I think essentially to try to follow up on some of the specific recommendations with the administration for the remainder of this time, or with a new administration after that.

Simply, to ask questions about what is going on, what are the difficulties, why can't this be done.

I think that many of these require not simply the United States to do things.

Most of these things require other nations. One of the things the United Nations Association has tried to do is interest other delegations in the United Nations, in some of these proposals, and I think some are interested, but essentially what your committee can do is simply try to press with respect to some of these recommendations and try to press as to what some of the difficulties are. When I was in the administration, I always found such pressure like squeezing a nerve a little bit, and that would produce some results.

They may not produce miracles, they may not be able to get everything done, but if the Congress had an interest, and this committee has an interest, then things get more consideration than otherwise they would.

The other thing, which I think is to some extent educational, is for you gentlemen to try to get the Congress to accept the fact that if the United States does not always get its own way on everything, that is not simply because it has incompetent representatives.

It may be that other people take a different view of different interests, see the problem differently.

We have to learn to live with more of that than probably we have had to live with in the last 20 years, and that is educational, it is sympathetic, to the purposes of some of these organizations. We will have a United Nations around, whether it is effective or ineffective.

I think the money we have spent on it, compared with many, many other things, has been well spent. I think it is necessary, even if it does not help us a great deal.

On the matter of appropriations, on the matter of trying to clean up this debt, I would hope that the Congress would be fairly generous on what the United States is willing to do. We talked earlier about such things as aid to Pakistan. I think we could get more participation by others, even if we used fund-raising devices, such as, we will give \$100 million now, and when that is matched, we will give another \$100 million.

With that kind of approach, I think you can get more participation. But with appropriations problems, particularly, it is always difficult for the administration because it is hard to have the money in hand before hand, and it is hard to know when you go in that you will have what looks like a hardnosed deal for the people doing their jobs in watching the purse.

Mr. FRASER. Mr. Secretary, I would like to address the same question to you, perhaps from a somewhat different vantage point, since

apparently you are the one who initially must review these recommendations. What role could we play to be most useful from your point of view in attempting to reap the maximum benefit from these studies?

MR. DE PALMA. Perhaps I am too close to these matters these days to have the kind of perspective needed to answer your question properly.

I have no difficulty whatever in subscribing to the answer given by Mr. Katzenbach.

I would endorse it in every respect. I think we do need to be pressed. I think it is useful, if the Congress were to take an interest in specific aspects, for it to give us an opportunity to discuss all sides of some of these difficult issues, so that we could perhaps create better understanding of the problems involved. I include particularly the problem that Mr. Katzenbach mentioned: We have to—if we are going to participate in a world body—make up our minds, that we will go along with a consensus which is not entirely what we would like. I think that is what would be useful, and I think that is why this kind of hearing is useful.

I think we also need to have some way to demonstrate that the United Nations is working successfully, and this has also been touched upon.

I think the United Nations is now looked upon as a failure. This creates more problems because people will not even look at possibilities for action there. We are looking for opportunities of this kind, and perhaps we should look harder: I think it would be good if we were pressed to do so.

There are, of course, problems on the congressional side. I do not want to disturb the harmony of this hearing, but we need an appropriation for the ILO and we have this chrome situation. This is another matter which I think needs very careful attention, because if we are going to, by our own action, walk away from basic obligations, we will take a very great onus on ourselves for a failure that there is no reason to put on our shoulders.

I think at this time we should not be looking for ways to add to the problems of the United Nations. We want to react as positively as we can to the recommendations of both panels and we are taking them very seriously. We have not filed these reports; we are working on them very actively and we intend to render a status report to the President on the President's Commission's report, to tell him what we have done and what we intend to do. I am sure we will take the same attitude toward the report of the United Nations Association Panel.

MR. FRASER. Mr. Bingham.

MR. BINGHAM. I have no further questions.

MR. FRASER. Mr. Hungate.

MR. HUNGATE. Thank you, Mr. Chairman.

Secretary Katzenbach, back to the International Court of Justice, and the possibility of increasing its use, would there be any possibility that there are certain rights in the Universal Declaration of Human Rights, that all countries agree that are just absolutely basic, that an individual could have a right, a recourse of the court to protect those rights, perhaps establish a prosecutor, what you will, for the United Nations, for that purpose alone?

Would there be any possibility, does that have a possibility?

Mr. KATZENBACH. Yes, I think that has some possibility. It is so hard to get one's own house in order, for those countries that are members, and they have considerably less freedom than we have here, so it will be rather hard to discover what individual has been deprived of his rights, even though his government might disagree.

I think steps could be taken to do it, but I am not sure that even within our own country an administration might feel that this would provide a political forum for various people to make various allegations, which would be difficult from the U.S. point of view.

I would be willing to take that kind of risk, as far as our own society is concerned.

Mr. HUNGATE. What I would be hopeful of, we could find some way where individuals, no matter how minimal a case might be, just to get some use out of the Court, and for it to be able to exercise its muscle, at least they would be doing something.

Mr. KATZENBACH. That would require a charter amendment to take individual cases, as far as that Court is concerned.

Mr. HUNGATE. Do you think that might be possibly a progressive step, if limited to certain areas?

Mr. KATZENBACH. Yes, I do.

Mr. HUNGATE. Secretary De Palma, in your statement, on the bottom of page 24, among the goals of the Stockholm Conference in 1972 on the consideration of principles, on recommendations for establishing machinery for monitoring changes to crucial items, as pollution of the oceans, and at page 22, new institutions, new technology, would you think that new institutions or perhaps new legal remedies that would be available, that perhaps some amendment, a study, a review, or an amendment of the United Nations' Charter might be in order?

Mr. DE PALMA. There are all kinds of improvements that can be made in the United Nations' Charter, and I hope everybody will realize the necessity sooner or later.

It may be a reflection of our own inadequate view, but at the present time we do not see that a review conference now would produce any useful result.

As you know, the last General Assembly created a committee to look into the question, but nothing has appeared on the horizon that would suggest that anything useful would be accomplished.

We ourselves are going to be working for an amendment to the charter to enlarge the Economic and Social Council.

This is the only kind of amendment that is being considered.

It is the kind that had been adopted before, in the case of previous enlargements of both councils, but on the larger, perhaps more important issues, I simply do not see any readiness on the part of governments to deal with these questions. The real question is, what do you accomplish at a review conference in these circumstances, other than to prove that there is a great deal of disagreement and that you cannot get anything useful done.

Mr. HUNGATE. Mr. Secretary, is not that like going to the dentist, though your tooth is bad, he just told you about it and did nothing.

Disagreements exist, and I think we are better off when we examine them openly, are we not?

Mr. DE PALMA. I am not saying it would not be useful simply to have a conference and to look at possible issues.

I am only saying that at the present time we honestly cannot see that issues would be addressed in a constructive way.

We have said that the United States is willing, but we do not really see that the time is ripe; we doubt that other governments will come around to that view. Certain others have said they do not want any part of a review conference and they are not willing to consider it.

Mr. HUNGATE. Mr. Secretary, if we thought it was desirable, and others did agree, you would not hold back, would you?

Mr. DE PALMA. No, sir; if I thought it were desirable, we would be pushing for it.

Mr. HUNGATE. Of course you are familiar with the President's Commission's report, and some of the criticisms of it by the American bar, some of the issues on the International Court that Mr. Findley raised, would not you think we will have in our society, in America, some leadership that could suggest useful means that could be made of a court that has only one case on its docket, when all of our courts are filled with cases, and we have international hijackings, and we have diplomat seizures, we should at least get the State Department interested on the kidnappings, we should devise some method where individuals could get in that court.

Really, those are the people that use our courts most, it is individuals.

Mr. DE PALMA. Without speaking to that particular proposal, let me say that we have shown far more interest in trying to do something about the Court than any other government.

We have tried to push the General Assembly into considering this matter.

We have tried to get a committee of the Assembly to look at possibilities for whatever changes are necessary in the Court.

It has been very tough going; there is not that much interest on the part of others. But we are the ones pushing for it, so that I accept your basic premise.

All I am saying is that it is not something which we can bring about by ourselves, and if you are saying we are not showing enough desire, I would perhaps agree with that too, but we do confront a real problem here.

It will take the agreement of a large number of countries, and at the present time there does not seem to be a consensus.

I might point out also, on your specific question about considering the cases of individual human rights in the Court, that we have been trying for 4 years to get a much simpler proposal adopted in the General Assembly: establishment of the Office of High Commissioner for Human Rights merely to collect evidences of persistent and known violations of human rights, and put them in a systematic way before the Economic and Social Council.

That proposal has been filibustered to death for several successive sessions of the General Assembly by governments that want no part of such a process. So I think we are that far away from the ideal solution you have in mind.

Mr. HUNGATE. I would certainly commend that effort, and I think I partially understand the nature of the problem, but that would not

make the case for the necessity to amend the charter to control such filibusters.

Mr. DE PALMA. My problem is, how do you get the votes to amend the charter?

In the first instance, assuming we have the desire and willingness to do it, how do we get the votes, if we cannot even get a proposal adopted to have these questions looked at and put before an organization simply to be discussed? Where are we going to get the support to have them adjudicated in a Court?

Mr. HUNGATE. Was there not a resolution about last December, that was approved for study of recommending review from the United Nations, possibility of charter review or charter change?

Mr. DE PALMA. Yes.

Mr. HUNGATE. So there would be support for that sort of proposal, would there not?

Mr. DE PALMA. You can, in that body, as in other bodies, get agreement on a proposal to look at a question, but when the time comes to look at it, nothing happens.

When that committee met, nothing happened.

Mr. FRASER. Mr. Katzenbach.

Mr. KATZENBACH. I did not cover it in my statement before, but we do on page 36 of our report have some recommendations with respect to the Court.

These are largely the work of Phillip Jessup, a former member of that Court, and he believes even these rather modest recommendations would do a good deal to keep the Court more occupied than it is, and a good deal in terms of what you talked about, Mr. Findley, in terms of making it more productive as an institution.

Mr. FINDLEY. Thank you, Mr. Chairman.

In that connection, Mr. Katzenbach, do you see any prospect in asking our Government, asking the Secretary General for advisory opinions, was such request made during your experience with the administration?

Mr. KATZENBACH. I do not believe so.

I think the Secretary General should be empowered to seek an advisory opinion from the Court if he wants it, with respect to whatever he wants.

I do not believe it has ever been acted upon.

I do not think he has the power.

Mr. FINDLEY. What power does he have to seek an advisory opinion from the Court?

Mr. KATZENBACH. The Security Council can seek one, and the General Assembly can seek one, but not the Secretary General.

Mr. FINDLEY. But not the Secretary General?

Mr. KATZENBACH. No.

Mr. DE PALMA. Specialized agencies can, when authorized, but not the Secretary General.

Mr. KATZENBACH. I think if you feel like I do, the strongest possible Secretary General is a desirable thing, and I think the ability to go to the Court would give him a little more clout.

Mr. FINDLEY. Mr. De Palma, has our Government within the last year, asked the Security Council, or the General Assembly, to seek an advisory opinion from the World Court?

Mr. DE PALMA. Well, we joined in a proposal to seek an advisory opinion on the question of Southwest Africa.

Mr. FINDLEY. Is that the only such request?

Mr. DE PALMA. That is the only one that I can think of.

Mr. FINDLEY. I would suggest that although advisory opinions have no binding effect, they are nevertheless very useful in settling international disputes, and I am puzzled why our Government does not use that avenue more often.

Can you shed any light on this?

Mr. DE PALMA. No. Again, I think this is certainly something we should look at. The problem is, we have to get votes for that; you cannot get an advisory opinion just because the United States wants one.

Mr. FINDLEY. If you do not ask for one, you will never get the votes?

Mr. DE PALMA. That is right. I agree with you.

Mr. FINDLEY. About 2 years ago, after talking with Mr. Jessup, I came up with an idea as to how to get business before the Court which has been described as the balanced pair approach. Our Government would seek out an issue where we appear to have a fairly strong case, and also one where we have a weaker case, and try to get the other country involved to permit both cases to go before the Court. Has that approach been pursued as far as you know?

Mr. DE PALMA. I do not know that it has been pursued in those specific terms.

As you know, Secretary Rogers has been interested in trying to improve the status and functioning of the Court and I know he has personally been interested in looking for possible issues to put before the Court.

Now, as Mr. Katzenbach indicated, when you start looking at the issues, there are always a hundred and one reasons why people will think you can do better in one way or another through negotiations, or some other way. I do not really know what the outcome of this search is going to be, but we are interested specifically in looking into the possibility of finding issues and proper questions to put before the Court.

Mr. FINDLEY. It has been more than a year ago since I had assurance from Mr. Stevenson that such a search was underway.

Mr. DE PALMA. I do not know what the status of the study is.

Mr. KATZENBACH. This is a difficulty in getting decisions before the Court. It is difficult to get people to put cases there.

The Southwest Africa decision probably did not help to resolve that very difficult problem, and, of course, the decision on the use of the peacekeeping forces, the funding of peacekeeping forces, it was one—

Mr. FINDLEY. Are you saying the record of the Court has not been favorable?

Mr. KATZENBACH. I am saying the two recent decisions, in neither one was the decision of the court implemented, or accepted by those who had the power to implement those.

In other words, when it was decided this was a perfectly proper charge, as far as the United Nations is concerned, the Governments of France and the Soviet Union said they did not care what the Court

said, and the Government of South Africa simply ignored the decision with respect to Southwest Africa, and short of a war, I do not know how you implement it.

Mr. FINDLEY. I believe the total record of the ICJ is a fairly good one. In about 40 cases, other than the two you mentioned, all parties accepted the decision and carried it out.

Mr. KATZENBACH. I am saying one of the difficulties is whether or not the decisions are going to be accepted by the parties.

I am not sure that it is a service to the Court to put issues before it, where the decision cannot be carried out.

Mr. FINDLEY. I do not see really much hope in establishing the concept of the rule of international law until the country that does the most talking about that concept; namely, the United States, is willing to risk an adverse finding on some of these cases, that could readily be placed before the Court.

Mr. KATZENBACH. I would think our Government would not wish to put an issue before the Court if we would not be willing to abide by the result.

Mr. HUNGATE. Will the gentleman yield?

Mr. FINDLEY. I yield.

Mr. HUNGATE. I would suggest on one problem of the balanced pair, I think, Secretary Katzenbach, sometimes good lawyers win bad cases, and I suggest that sometimes bad lawyers lose good cases.

Thank you, Mr. Chairman.

Mr. FRASER. Well, my thanks to all of you for being with us this afternoon. You have been most helpful, and I want to say that we will try within the limits of our resources to provide continuing expression of interest and inquiry in the months ahead.

Thank you very much.

(Whereupon, the committee meeting was adjourned at 4:45 p.m.)

U.S. ROLE IN THE UNITED NATIONS SYSTEM

THURSDAY, OCTOBER 14, 1971

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FOREIGN AFFAIRS,
SUBCOMMITTEE ON INTERNATIONAL
ORGANIZATIONS AND MOVEMENTS,
Washington, D.C.

The subcommittee met at 2:20 p.m., in room 2255, Rayburn House Office Building, Hon. Donald M. Fraser (chairman of the subcommittee) presiding.

Mr. FRASER. The meeting of the Subcommittee on International Organizations and Movements will come to order.

Two of our three witnesses are present now. May I say that we have problems on the floor this afternoon, as you can already tell. We are expecting a further vote. There will probably be two votes in sequence at any time.

I believe we should proceed with your prepared statements now. I find that members who come in can catch up quickly by reading the statements, so that when additional members are here we will concentrate primarily on the questions. If it is agreeable, we will proceed with the prepared statements and see how far we get before the vote comes and then see what develops subsequently.

Our first witness is Dr. Francis Wilcox, dean of the School of Advanced International Studies at Johns Hopkins University. He served as chairman of the working group of the Lodge Commission and served formerly as Assistant Secretary of State for International Organization Affairs during the administration of President Eisenhower.

Dean Wilcox, it is a great pleasure to welcome you here this afternoon. Will you proceed with your statement?

STATEMENT OF DR. FRANCIS O. WILCOX, DEAN, SCHOOL OF ADVANCED INTERNATIONAL STUDIES, JOHNS HOPKINS UNIVERSITY; AND CHAIRMAN, WORKING GROUP OF THE LODGE COMMISSION

Dr. WILCOX. Thank you very much, Mr. Chairman.

I am very pleased to have this opportunity to appear before your committee today to discuss with you the report of the President's Commission.

This report, as I am sure Ambassador Lodge told you yesterday, was put together as the result of a good many conversations and meetings with officials of the U.S. Government, representatives of nongovern-

mental organizations, scholars, members of the U.N. Secretariat, and other experts on U.N. affairs.

The Commission also held public hearings in six representative cities—Atlanta, St. Louis, Des Moines, Rochester, Portland, and San Francisco. Over 200 witnesses were heard. In addition, written comments and suggestions were received from many people throughout the United States.

The principal purpose of the Commission was to recommend measures to increase the effectiveness of the U.N. and of our participation in the organization. No members of the Commission, so far as I am aware, were interested in abolishing the United Nations or in weakening its capacity to discharge its responsibilities.

As one would expect, a few of the witnesses appearing before the Commission opposed the participation of the United States in the U.N. and a good many called attention to the weaknesses and shortcomings of the organization.

But, on the whole, the vast majority urged continued American support for the U.N. and strongly favored initiatives designed to make the U.N. a more effective instrumentality for the maintenance of peace, the promotion of economic and social development, and meeting the new challenges of science and technology in the years ahead.

In its report, the Commission set forth nearly 100 specific recommendations, many of which could be helpful in bringing fresh vigor and fresh vitality to the U.N. system. It is not possible for me to comment on all of these today, but I would like to call your attention to six or seven of the most important points. We can then turn to any section of the report members of the committee may wish to discuss.

I. THE U.S. CONTRIBUTION TO THE U.N. BUDGET

First of all, let me call your attention to one recommendation in the Commission's report with which I am in rather sharp disagreement. That is the proposal that we should seek, over a period of years, to reduce our annual contribution to the regular U.N. budget—now at 31.52 percent level—so that eventually our share would not exceed 25 percent.

In my judgment, this is a penny-wise and pound-foolish approach to the problem of U.N. finances which would not be helpful to our national interests in either the long or the short run.

The fact is we are not carrying an excessive financial burden in the U.N. whether you measure it in terms of our gross national product, our per capita contribution to the organization, the percentage of our national budget involved, or our vital interest in the development of a relatively peaceful world order.

Indeed, if we were to contribute to the U.N. on the basis of our capacity to pay, our share of the annual budget would be more in the neighborhood of 40 percent.

To be sure, the Commission does not recommend any reduction in the overall contribution of the United States to the total U.N. system. It suggests instead that any reduction in our contribution to the regular U.N. budget should be compensated for by additional voluntary contributions to various U.N. programs.

But it should be clear that the one does not make up for the other. A voluntary contribution is not the same as an assessment. Any concerted effort on the part of the United States to reduce our share of the assessed budget would surely be understood in U.N. circles as a declining commitment to the Organization.

Finally, it should be kept in mind that the constant attempts of the United States to lower our share of various U.N. expenditures is a negative approach to international relations which is not commensurate with our role as a great power and a leader of the free world countries.

Not only is the amount of money involved relatively small, when our Government is forced to take a negative position with respect to the budget, it becomes next to impossible to play any constructive role in the development of the program involved.

More than that, we may find ourselves in the very unpopular position of having to oppose a good many worthwhile U.N. programs strongly supported by the great majority of members.

II. STRENGTHENING THE SECURITY COUNCIL

One set of proposals that particularly appeal to me would have as its objective the upgrading of the Security Council and the strengthening of the Council as an instrumentality for world peace.

As the committee is aware, the Security Council has been weakened over the years by the growing tendency to elect a good many very small states to membership regardless of their capacity to contribute to the maintenance of peace.

The Commission suggests, therefore, that the United States make it quite clear that we will not vote for candidates for membership on the Security Council merely because they are put forward by regional groups of states.

Rather we should insist, insofar as we can, that the nonpermanent members of the Council be drawn predominantly from states that are in a special position to contribute to the work of the U.N., and we should seek agreement among U.N. members that at least half of the 10 elected seats be rotated among the larger states from each region.

It seems to me self-evident that states like Japan, Mexico, India, Canada, Nigeria, Brazil, Australia, Indonesia, Iran, the United Arab Republic, and Pakistan would add real vitality to the work of the Council.

There is a certain relationship between power and influence in the world and if we really want the Council to be effective we should give it the strength of membership it needs to do the job.

Similarly, the Commission proposes the strengthening of the Security Council through establishment of an executive committee made up of the Soviet Union, the United States, and three or four other members.

It would be the task of the executive committee to follow world developments and report thereon at "periodic meetings" of the Council convened for the purpose of examining incipient conflicts and new approaches to old situations.

Both the executive committee and the "periodic meetings" ideas have real merit. I believe—especially if the foreign ministers of the states concerned could be prevailed upon to participate from time to time.

III. UNITED NATIONS MEMBERSHIP

I think the Commission's recommendations on U.N. membership are equally sound. The world has changed greatly since 1945. In the last 25 years, some 79 states have joined the U.N. and many new governments, with diverse political ideologies, have come to power.

In these circumstances, the U.N. can best discharge its responsibilities of maintaining world peace and promoting social and economic progress if its membership includes all the governments in the world—assuming, of course, they subscribe to the purposes and principles of the Organization.

To this end, the Commission recommends that all firmly established governments should be included in the U.N. system. The benefits to the United States in having such governments in the U.N., and subject to the obligations set forth in the charter, far outweigh the problems raised by ideological differences between various states.

This reasoning would apply to the divided states—East and West Germany, North and South Vietnam, and North and South Korea—as well as Switzerland, and mainland China, whenever any or all of them are in a position to join and wish to do so.

It would also apply to the microstates insofar as any of them might qualify for some kind of membership. Certainly every state, no matter how small, should benefit from the work of the Organization.

The Commission properly calls attention to the fact, however, that there remain outside the Organization nearly 70 states and territories with populations of less than 1 million, many of which may seek membership in the U.N. in the future. Many of these entities, with very little in the way of resources, are quite unable to shoulder their share of the burden in the U.N. system.

For these states and territories the Commission recommends a special status of associate membership. Under this status, the states involved would be urged to renounce their voting and election privileges in the Organization, with the understanding they would be entitled to all the other rights and benefits of the U.N. They would not, however, be required to contribute to the regular assessed budget of the U.N.

Frankly, I do not know whether this proposal has much chance of acceptance. We already have some states in the U.N. with populations of less than 100,000. Nobody likes the idea of being voted as a second-class citizen—least of all a small state that has just gained power and sovereignty in the international community.

But it is imperative, it seems to me, that we take effective measures now to prevent reducing the meaning of membership to an absurd level.

You will note that with respect to the question of membership, the Commission has put the emphasis where it belongs—on the principle of universality. Membership, with the commitments contained in the charter, should not be regarded as a privilege, but as an obligation from which no government or state should be permitted to escape.

Under this concept, all states should be looked upon as members of an international community in which duties are commensurate with rights.

This suggests the urgent desirability of finding a place for mainland China in the U.N. It also suggests the undesirability of expelling any state—in particular the Republic of China which has been a responsible member of the U.N. for a good many years.

The Commission thus recommends a two-China policy, although admittedly that may not be practicable at this late date. Clearly, this is not a question of dual representation for one China; it is, rather, the provision of two seats for two governments.

Whether the U.N. will be willing to accept this kind of arrangement remains to be seen. In any event, the Commission believes that the exposure of the Peking government to world opinion, to the free press, and to the open forum of the U.N., may bring positive results that will outweigh the disadvantages that might flow from membership. Most of the rest of the world seems to agree on that point. The main question left to be resolved is whether arrangements can be made to keep Formosa in the Organization.

IV. U.N. PEACEKEEPING EFFORTS

In the realm of peacekeeping, the Commission puts forth a number of practical suggestions on the assumption that multilateral action to defuse dangerous situations and contain local conflicts will become an urgent necessity in the years ahead.

Some bold new initiatives are called for—initiatives which might hopefully be based upon a new attitude among the great powers. This would involve a willingness on the part of government leaders to place greater emphasis on conflict prevention and to bring the U.N. into the picture early rather than dangerously late.

It would also require acceptance by decisionmakers of the importance of multilateral substitutes for unilateral involvement in local conflicts.

More important still, it would call for a greater degree of cooperation between the United States and the Soviet Union than has been evident in the past.

Among other peacekeeping steps recommended by the Commission, the most important would be the creation of a U.N. peace reserve of 25,000 trained troops, earmarked by countries in various parts of the world, plus a cadre of trained staff officers and specialized units for signals, transport, medical, and civil police duties. At present, some states already maintain contingents of their armed forces earmarked for U.N. use.

To build on this principle, all members would be asked to inform the Secretary General of the size, character, and degree of readiness of contingents they plan to make available for peacekeeping activities, as well as the facilities, logistic support, and other services they are willing to provide.

The Commission would, of course, support the full cooperation of the United States in developing contingents and specialized units for a U.N. peace reserve. To this end, we should earmark specialized units

for backstopping U.N. peacekeeping operations and should pledge both airlift and sealift facilities for the transport of U.N. peace forces.

Moreover, we should assist the U.N. in taking advantage of developments in science and technology that might improve its capacity to keep the peace, including new techniques in communications and aerial surveillance.

Finally, we should support the establishment of a special fund in the U.N. to meet the costs involved in large-scale peacekeeping operations.

It is clear that insurmountable obstacles have arisen to the creation of the large U.N. force contemplated in chapter VII of the charter. It is equally clear that some modest steps of the kind outlined above are essential if the peacekeeping potential of the U.N. is to be kept alive.

During the last 25 years, some 36 members of the U.N. have furnished military observers for service with various U.N. missions. Moreover, U.N. forces have performed creditably in the Suez, Lebanon, the Congo, Cyprus, and other difficult situations that might have escalated into wider conflicts without U.N. intervention.

The peacekeeping role of the Organization would be greatly strengthened by the development of a trained corps of several hundred U.N. military observers who could be dispatched immediately to troubled areas and by the establishment of a U.N. peace reserve.

The United States would do well to take the lead in proposing these measures or encouraging other states to do so. Even if they are turned down—and it seems likely they will be unless the Soviet Union changes its policy on this issue—we should keep on trying. Eventually, perhaps, the winds of change may blow enough and we can begin to make some progress.

V. AID THROUGH THE UNITED NATIONS

I also commend for your careful consideration the Commission's recommendations relating to economic development. As this committee knows, there are many advantages to be derived from using multilateral channels for our aid programs. Every dollar we invest in the U.N. Development Program generates more than \$6 of development work by other nations. More than that, multilateral aid has the added advantage of minimizing the political aspects of economic aid and reducing the resentment of some of the developing countries to bilateral programs.

With these considerations in mind, the Commission strongly recommends that an increasing proportion of our technical assistances, official loans, and credits to the developing countries be channeled through the multilateral agencies of the United Nations.

We also urge that our contributions to the U.N. Development Program be substantially increased each year so as to reach a minimum of \$200 million by 1975. We would, of course, hope that our increased contribution would be accompanied by a continuing improvement in the administrative efficiency of UNDP and the U.N.'s specialized agencies.

The Commission also recognizes that more aid must be made available to the developing countries at more favorable rates of interest and longer periods of amortization. The fact is that recipient countries are already very heavily burdened with external debts. By the end of

the first U.N. development decade (1970), it is estimated that something between 50 and 85 percent of the annual new flow of capital to the developing nations was used to service these debts.

Clearly this process tends to nullify all our development efforts. This is precisely why the Commission feels it highly important for the United States to increase its contributions to such institutions as the International Development Association, the Inter-American Bank, and the Asian Development Bank where long-term loans, low-interest rates, and moderate service fees prevail.

In putting forth these suggestions, the Commission is thoroughly aware of the weaknesses of U.N. development machinery. Among other things, we need to improve the system of country programing that prevails in many countries, strengthen U.N. leadership in the field, and establish a more effective mechanism at headquarters for coordinating the activities of the various U.N. development agencies. We need to make progress in these directions in order to make sure that our aid dollars are bringing the best possible results.

VI. ON STRENGTHENING THE GENERAL ASSEMBLY

Finally, Mr. Chairman, may I say just a few words about steps to strengthen the General Assembly.

Everybody who knows the U.N. knows there is a real need for drastic overhauling of the Assembly's machinery. With the addition of some 79 members during the last 25 years, the Assembly—although it may have become more representative of the world community—has also become very large and unwieldy and no longer organized for effective action.

Clearly people are not going to take the world's greatest deliberative body very seriously so long as it is used as a propaganda forum for long and tedious debate rather than as a body to deal effectively with major issues.

With this in mind, the Commission recommends that our Government submit to the General Assembly a candid statement about the basic reforms, both in organization and procedure, needed to make certain that the Assembly will, in fact, be capable of handling the problems on its agenda.

As part of this package, we suggest that the General Committee of the Assembly be reconstituted as a steering committee whose function it would be to serve as a continuous body with full authority to exercise firm control over the Assembly's deliberations.

Among other things, the committee would "manage" the Assembly's agenda, making recommendations about the items to be discussed, including the allocation of time, the schedule for their completion, and related matters. This could do much to speed up the work of the Assembly.

There are, of course, many other reforms that could be agreed upon. The Assembly's committee structure needs to be overhauled—with one of the main committees being reconstituted as the Committee on Science, Technology, and the Environment.

Steps should be taken to stem the flood of U.N. documents and to prevent the proliferation of overlapping commissions and committees. Limitations should be placed on debate both in the plenary sessions

and in the main committees. But those matters which should be considered—with our strong encouragement—by the Special Committee on the Rationalization of the Procedures and Organization of the Assembly which the General Assembly created at its 25th session.

VII. CONCLUDING COMMENTS

There are a good many recommendations in the report of the Commission which I would like to underline—such as those relating to the work of the International Court of Justice and the important steps that might be taken to improve U.N. procedures for the peaceful settlement of disputes—but time does not permit.

I would like to add just a few words, however, about some of the relatively new problems that are emerging which are of vital interest to the international community.

The Commission believes the U.N. will prove its worth, in large measure, to the extent to which it can deal effectively with these new problems. To this end, the United States should lend every assistance to the U.N.—in terms of equipment, financial support, and organizational structure—in its handling of such problems as outer space, overpopulation, the seabed and the ocean floor, the international hijacking of commercial airplanes, traffic in dangerous drugs, disaster relief, and the pollution of the environment. Successful handling of these problems could bring new vitality to the U.N. and new confidence in its work.

There are two excerpts from the Commission's report that I would like to quote in conclusion, Mr. Chairman, for I think these set the tone of the Commission's thinking.

The undeniable achievements of the organization offer greater hope for international cooperation than ever before in the history of man. But the serious defects in the U.N.'s ability to keep the peace, promote world-wide economic and social progress, and maintain its effectiveness as a deliberative body must be corrected if the organization is to cope with the great challenges which the future holds.

This report identifies some of the present dangers and the difficulties which must be faced. Despite our dissatisfaction and our criticisms, we are firmly convinced that the U.N. is today more than ever indispensable to the security and welfare of all nations, whether they yet grasp that reality or not. It is in our national self-interest and in the interest of all states to make the organization work.

I commend the report of the President's Commission to you for your careful consideration. If only 20 percent of its recommendations could be accepted and put into effect, I am sure we could make genuine progress in our quest for a better world order.

Mr. FRASER. Thank you very much, Dean Wilcox.

That is an excellent statement.

We are now at the point I mentioned earlier at which we have about 10 minutes to go to the floor to vote. So we will have to call a recess. We will be back either right after this vote or, if it turns out that the final vote will occur immediately, we may have to stay a little longer.

Mr. FRELINGHUYSEN. I regret that, Mr. Chairman, but we have no alternative.

It has been an excellent statement.

I also look forward to hearing from Dr. Bloomfield.

Mr. FRASER. The subcommittee will now recess for a short time.
(A brief recess was taken.)

Mr. FRASER. The subcommittee will come to order.

Our next witness is Prof. Lincoln Bloomfield, who for 11 years served in various capacities in the Department of State, particularly in the field of United Nations affairs.

His numerous books and articles on international organization and arms control have had great influence both on public and official thinking. He is the only witness in our current 2 days of hearings who served as a member of both the Lodge Commission and the Katzenbach-UNA Commission.

Professor Bloomfield, we are delighted to have you here. Please proceed.

**STATEMENT OF PROF. LINCOLN BLOOMFIELD, MASSACHUSETTS
INSTITUTE OF TECHNOLOGY; MEMBER OF LODGE AND KATZEN-
BACH COMMISSIONS**

Professor BLOOMFIELD. Thank you, Mr. Chairman.

I am honored to appear again before this subcommittee. I think it has a most important role to play at this particular moment in history. That role is to fill the gap between the kind of insights in the two studies before you today, and the kind foreign policy machinery at the other end of Pennsylvania Avenue.

The missing link is between the need for more multilateral problem-solving and the often obsessive governmental preference for unilateralism. The legislative branch can make a unique contribution by closing that link.

In this spirit, I propose to talk about three things:

First, you have asked me to say something about the "coalitions" idea, with some concrete examples of how it might work in practice.

Second, I would like to say a word about U.N. peacekeeping.

Finally, I would like to relate all this to decisionmaking within government, in the belief that unless certain faults can be corrected, efforts such as the two panel reports—and your hearings—will represent additional exercises in futility.

I hope, incidentally, that you will not allow the current diplomatic crunch over Chinese representation to obscure the larger needs in multilateral diplomacy and operations. I, myself, believe our policy should be one of universal representation in the U.N. including all effectively government pieces of real estate in the world. Any other approach to world organization is demonstrably absurd.

As the working group member within the Presidential Commission charged with doing the initial drafting on these particular recommendations, I may be pardoned for wishing that the administration had accepted not only our recommendation on seating Peking and keeping a seat for Taiwan, but also the principled basis for it, which was the logic of universality—including all the divided states.

Instead, the China issue has been allowed to become an isolated test of strength between those who like Chiang Kai Shek—and us—versus those who want to propitiate Mao Tse Tung at whatever cost, complete with what may be a self-fulfilling prophecy that American support will shrink if we don't have our way.

This exercise symbolizes a chronic condition—the avoidance of a strategically coherent approach on such matters in favor of the tactics of one or another game plan.

I might add that I am indebted to the earlier Henry Kissinger for persuading me on this point.

Our own need for stronger international institutions to deal with problems increasingly beyond our control is just too important to jeopardize by a series of games of chicken based on possibly miscalculated domestic pressures.

I now turn to the “coalitions” idea. I should report that the U.N. Association is preparing a further background paper spelling out the proposal, which I understand will be made available to you shortly. What follows represents essentially my own views, though it will reflect some additional suggestions by my associates on the Katzenbach Panel.

The proposal for “coalitions of the law-abiding”, as I first called them—or “coalitions of the willing” as Harlan Cleveland rechristened them—rests on a few fundamental notions.

Today we are, by and large, stalled on dead center in the quest for a more satisfactory world order. Under the present system, real progress depends on agreement among countries which on major matters are in disagreement, and indeed for that reason require a place to argue, negotiate, propagandize, and occasionally act in harmony.

The world as a whole is clearly not ready for any giant steps toward greater authority and power at the center. There is still no fundamental consensus between systems, or often even between neighbors.

It is possible that common people everywhere grasp more surely than their governments the imperative necessity to do something to reduce the number of wars in which they get killed, and the elementary logic in pooling authority on problems over which their governments seem to have no real control—problems such as general arms control and disarmament, worldwide pollution, regulation of outer space and the seabeds, more equitable allocation of the world's economic goods and resources, and better rules for handling the perpetual squabbles between states.

But governments everywhere are unwilling to surrender authority. Moreover, world government would create more problems than it would solve. I see the need as a pragmatic one of finding devices that can overcome this fatal dilemma of unfettered sovereignty on the one hand and the impelling needs of our troubled planet on the other.

As I have indicated, obviously little or no progress is possible if everyone must agree. Indeed, only limited progress is possible where both the United States and Soviet Union must agree. And only some of what they can agree upon can be carried out if all the other 130 or so countries must agree. How can we square this circle?

My suggested solution for this was to break the problem down, yet stay within the U.N. framework. I proposed forming temporary coalitions of those countries which see eye to eye on a specific step which does not require everyone's assent to start in on. They would bind themselves in advance to accept as definitive an action by an international body. They would not necessarily be bound together on anything else. And the action could be taken without waiting for everyone else to change their politics. But it would take place within the U.N.

The result hopefully would be to create what I called fragments of a community in a book in 1960—in which, to tell the truth, this idea was first surfaced but not noticed. The proposed coalitions would be shifting, temporary groupings—in effect, nonregional and even non-ideological blocks. Each might be composed differently, depending on the issue. But all would represent groups of countries which see a particular issue as a way to build a fragment of world order by paying the price of committing themselves in advance to accept as binding the results of the particular vote or decision.

This brings us to the other part of the proposal. The other side of the coin of coalitions is what might be called informal or unofficial weighted voting. One reason why Americans—correctly, in my opinion—mistrust U.N. General Assembly resolutions, however big the vote, is their transparent meaninglessness in many instances.

I do not need to go over for you the arithmetic of possible majority or two-thirds votes comprising only a tiny fraction of the world's wealth, power, or responsibility. Even the Security Council, where votes are more reflective of ability to implement them, takes votes, particularly on the Middle East, which are meaningless because a numerical majority can always carry a vote condemning Israel, regardless of the merits.

Formal weighted voting has, for obvious reasons, little or no chance of being accepted by a U.N. majority. It therefore seemed to me that the only avenue to a breakthrough was by means of what might be called "unilateral weighted voting."

I saw no reason why the United States—or a coalition of states agreeing to bind itself on a particular issue—could not specify in advance the kind and size of vote in the Assembly or Security Council it would regard as decisive. If the final vote really reflected a genuine and meaningful majority in terms of criteria we would specify in advance—strength, population, ability to contribute—then we could accept it as representing the true will of the international community, even if it does not correspond to our exact preference.

We would in that case consider ourselves bound by it, and we would hope that many others would join us. In sum, on important matters, the clear benefits of weighted voting could be informally introduced, but without affecting anyone else's rights, and without requiring a formal charter amendment.

The basic purpose of the proposal is to enable nations with the will to do so to move the institutions of world order ahead on certain fronts, if possible with assent by the Soviet Union (and China) but if necessary, and where it is possible to do so, without them.

Soviet-United States cooperation remains the keystone of any real progress toward a safer and more tolerable world. But on some matters progress can be made outside that framework, but within the U.N., always with the hope, as I said in originally advancing this proposal, that "others would gradually come to see the common cause in our action, and the promise it holds of actually moving away from words toward a working world order."

Perhaps in this way we will reverse the pernicious trend toward ever greater unilateralism, narrow self-interest, and cynicism about international law and order—a trend to which we have contributed our share.

Now some examples:

1. Disputes between states: An example is the quarrel over fishing rights between the United States and Ecuador (also Peru). The United States could announce its willingness to accept in advance terms of settlement by the International Court of Justice, either in a contentious case or an advisory opinion.

In addition, like-minded countries could announce their decision to accept in advance new ground rules for territorial waters, the Continental Shelf, and the seabed, if passed by a vote of two-thirds at the several forthcoming conferences on the law of the sea, including the other major maritime powers.

Another example would be accepting as definitive any internationally agreed plan for settlement of such intractable and war-generating issues as Palestinian refugees and the status of Kashmir, given a sizable vote we would specify.

Prof. David Kay has suggested the same formula for a badly needed new regime for international waterways—including the Panama Canal.

2. Disarmament: An example here might be the interpretation of disputed or ambiguous agreements such as the 1925 Geneva Pact on chemical warfare, if pronounced unanimously by the World Court or by a three-fourths vote of the General Assembly, including the other great powers. A similar approach could be taken to legal or political disputes concerning the Limited Test Ban Treaty, or the Outer Space Pact.

3. Peace-keeping: So long as it does not lessen chances for the indispensable agreement between Moscow and Washington to implement actual U.N. operations, I very much support Ambassador Charles Yost's example (in Robert Kleiman's New York Times op. ed. article of September 19) of an ad hoc coalition to move ahead on earmarking of troops, training programs, and financing, without awaiting superpower agreement on guidelines. Guidelines are only meaningful if the United States and the Soviets agree. But if their impasse continues over basic ground rules for future peace-keeping, we might consider accepting the results of a "coalition" not including the United States if agreed to by two-thirds of the Security Council, including all the other permanent members. (I also have another suggestion on this subject below.)

4. Collective Security: Here the shoe begins to pinch. A major step forward would be to agree to accept Security Council sanctions under chapter VII of the U.N. Charter, Articles 39, 40 and 41 (that is, except for military actions), if voted by two-thirds of the Security Council, including three of the other permanent members.

5. Financial: Equally hard for Americans to contemplate (but where do you start in implementing our rhetoric about a more enlightened world order?), we could agree in advance to accept U.N. budgetary decisions, if two-thirds of the other major contributors concurred, and economic assistance programs, if three-fourths of the major contributors supported a decision requiring new funding. Nicholas Katzenbach has elaborated his ideas to you on the first point.

Other examples suggested by some of my associates include coalitions accepting in advance the results of factfinding inquiries, or on disputes concerning environmental issues; also suggestions to apply it to agreements limiting transfers of conventional arms, and to elements

of the human rights field. As I said, I understand that there will be elaborated in a follow-on paper being prepared by the U.N. Association.

This brings me to peacekeeping, which I single out in part because I have devoted much professional attention to it, and in part because I take some responsibility for the rather strong language in both the Presidential Commission report and the U.N.A. Panel report. In the so-called Lodge Commission report, we said:

As the American people become increasingly uneasy about any direct United States involvement in overseas conflicts, multilateral substitutes to defuse dangerous situations and keep local conflicts from escalating to wider war become an urgent necessity rather than a luxury. The Commission recommends that the United States undertake bold new initiatives to revitalize the peace-keeping and peace-making capabilities of the U.N.

We then said something I consider to be perhaps the most crucial sentence in the entire report:

Most important in reversing the present unproductive trends in U.N. peacekeeping is a new attitude among the great powers, including the United States, that should be based on the following elements:

Acceptance at all levels of decision-making of the importance of multilateral substitutes for unilateral involvement in local conflicts.

Other specifics followed. In the final part of my statement, I shall have something to say about the decisionmaking.

In the so-called Katzenbach Panel report, we spoke of a U.N.—

Whose peace-keeping capabilities reflect what must now be counted as a first principle of world politics—that unilateral action, even by the strongest powers, is increasingly likely to be inconclusive abroad and unpopular at home.

Many of the recommendations in the U.N. report (and in our earlier U.N. panel report on "Controlling Conflicts in the 1970's") correspond to those in the Lodge report. They rest on the same conviction that despite the obvious difficulties and hangups, new action is urgently needed in this area.

I am sure you are familiar with the peacekeeping negotiations, if they can be called that, which have been proceeding in a desultory fashion for several years between the United States and the Soviet Union. The chief issue which divides them, simply stated, is U.S. insistence on flexibility and authority for the Secretary General in carrying out a peacekeeping mandate from a U.N. organ; versus the Soviet Union's "strict constructionist" insistence on oversight of peacekeeping operations by the Security Council.

During the past couple of years, the stalemate has persisted. But occasional glimmers of light have flashed through the diplomatic black-out. In the spring of 1970 there were hints that a compromise was possible. That summer I was told in Moscow of "encouraging" developments. But a year later nothing has really happened; so far as can be seen, neither side has changed its position in any real way, or sat down again to serious negotiation of remaining differences.

There are important differences between the two about control over peacekeeping operations. But the differences lie along a scale, with absolute freedom of action at one end and absolute control at the other—which neither side is asking for. Thus the differences should be negotiable, although not easy to resolve.

My point is that this begins to sound like some other major East-West issues that for years looked insoluble but suddenly gave way when assigned a high enough priority.

Three cases in point are the Austrian Peace Treaty (10 years), the Limited Nuclear Test Ban (6 years), and, most recently, agreements on the most sensitive of all—Berlin.

A key ingredient in all these was persistence plus elevating the matter to the highest level—which has not been done with peacekeeping.

Today, both in Washington and Moscow, my impression is that the U.N. peacekeeping item appears on the top leadership agenda somewhere down between "What about South Africa?" and "How about a joint effort to spot forest fires from satellites?"

Negotiations so far have been between deputy U.N. delegates, on the basis of instructions drafted by Assistant Secretaries of State, at least on the American side. All are able and dedicated men. But they lack clout.

I would very much hope that before he goes to Moscow next May, President Nixon becomes convinced that the iron logic of his Nixon doctrine makes U.N. peacekeeping a sheer necessity instead of the luxury it has been in the past.

What if he told Mr. Brezhnev that a new start on reliable and effective U.N. peacekeeping was on his top priority list of United States-Soviet "musts," right alongside SALT, balanced troop reductions in Europe, and an interim Suez Canal agreement (which may not be possible anyway until something can be put forward in the way of reliable international policing)? I think it could cut the Gordian knot of peacekeeping with inestimable benefits for all.

Finally, Mr. Chairman, I hope you will indulge me with a rather personal statement about panel reports, bureaucracies, and the acute difficulty in changing official attitudes. Let me add that the same is true of many governments, probably including the Soviet Union. However, here we are speaking of the United States.

I believe one of the reasons I was honored with an invitation to testify before your subcommittee was the fact that I am the only individual who served on both the Presidential Commission and the U.N.A.-U.S.A. Panel. This probably means that statistically I put in more time and effort than anyone else involved to rethink these problems and try to make useful and practical recommendations for policy action.

Perhaps I am then entitled to express to you twice the normal sense of futility and frustration permitted to those who served on only one of the panels. It is not that my own time and energies are that important. It is only that I can perhaps speak for some others in wondering aloud if we are not in fact acting out an elaborate charade with little real meaning.

On the one hand, we have not only these two reports but scores of other efforts reaching essentially the same conclusion about the need for a changed U.S. posture toward international organization and multilateral approaches.

Sharing this view, by the way, are many people within the Government. I doubt that they will—or should—testify to you of their frustration and discouragement at the perpetual discounting of their views by the top command. I find myself, incidentally, sympathetic to both

groups, having lived and worked extensively with both. The executive leadership, and many diplomatic and policy specialists who operate the policy machine are, despite their avowed intentions, perpetually crisis-bound. Their role condemns them to inhuman working hours, full in-baskets, endless cables and memoranda to read and meetings to attend, and no time for introspection.

But there is another element to the problem that is more insidious. I refer to the presence, even when the U.N. is showing signs of succeeding in something, of a pervasive cynicism within the Government about such efforts as the one you are reviewing today. Where anything crucially important to U.S. interests is concerned, the U.N. is generally the last place that U.S. decisionmakers will turn.

I do not mean the Bureau of International Organization Affairs in the State Department. I mean the people who make the real decisions in our Government. They tend on the basis of all the evidence to prefer to handle the matter alone, bilaterally, or at most with a few close allies.

Confronted with proposals to strengthen the U.N. or to multilateralize one or another matter, the most dedicated and high-minded Government official is still likely to react almost instinctively with a posture that can only be described as at best "damage-limiting," at worst totally negative.

This all reflects something even more fundamental in what might be called the "foreign policy culture." Typically, a proposal to take a hard line, or a narrow view of U.S. interests, is more often than not deemed "realistic" and "reliable," and enjoys high credibility among the "pros."

On the contrary, to advocate cooperative action and compromise, or to advocate accepting a majority judgment, or being taken to court, generally brands one as unreliable, unrealistic, soft, and not to be taken seriously in the highest councils. If this sounds stark, I can only say it is the result of 25 years participation on both sides of that culture.

The practical result for us here is that, while some individual items may well be plucked from these two panel reports for implementation, its overall thrust and spirit will induce approximately the same reaction in the decisionmaking levels of government as do injunctions in church to love thy neighbor, turn the other cheek, and in general shape up morally.

This situation is so ingrained, and the attitudes it reflects, so persistent, that it is worth asking whether those who serve on panels about strengthening the U.N. are not living in some kind of dream world, perpetually detached from reality.

It is tempting to draw that conclusion. The world is a desperately divided and chaotic place and so, consequently, is the U.N. Deep cleavages persist between East and West, North and South. Why waste one's valuable time with a line of policy reasoning that is hard to implement, runs counter to short-term trends, and exposes one to ridicule?

The answer is inescapable. It is that the hard-headed, unilateral, close-to-the-chest, keep-all-your-options-open approach of the "realist" has in fact become unrealistic because it is increasingly out of keeping with the nature of the external problems this Nation faces.

The truly hard-nosed advice may well be that which recommends interpreting the national interest far more broadly by taking bold moves to pool authority, and giving a new lead in cooperative rather than unilateral directions.

Having gotten this off my chest, I must say that what I have described reflects, in part at least, a technical problem arising from the way the U.S. Government functions. While tinkering with organization charts and titles is often a way to avoid solving a problem rather than dealing with it, for the reasons I have stated I fully support the recommendation in the UNA-U.S.A. report to upgrade the Assistant Secretary of State for International Organization Affairs to a Deputy Undersecretary rank. There, even if the incumbent is still automatically mistrusted as soft by "tough-minded" members of the bureaucracy, his views cannot be ignored as they have so often been in the past.

Beyond this, however, I believe we can relate the perennially insufficient state of multilateral thinking in government to the decline, if not demise, of the long-range policy-planning function. There is much new organization to operate more efficiently and evaluate options more systematically. But at a more primary level where one rethinks underlying assumptions, makes detached appraisals of the situation, and reexamines long-held approaches—in short, does basic policy planning—the State Department policy planning function has been drastically curtailed and it is not clear that this essential task is being performed elsewhere.

My hunch is that if we are ever to get off the dime, this may be one place to take a hard look. I am planning to do a study of this question in the near future, because I am gripped with the recurrence of this notion when one looks for any new directions in government action.

Here I can only state an informed guess that a quasi-independent and influential policy planning staff might help to restore the balance and supply the sort of continuous built-in challenges and organized mind-blowing that is needed to get us on to new, higher ground. That is what the busy, operational, and parochial bureaucracies of government need most and enjoy least. It must be done inhouse, and it must be set up in ways the operators will respect because it is well informed, and backed by the enthusiastic support of the President and Secretary of State.

Finally, I would urge that the President set up the kind of non-partisan advisory group recommended by the Lodge Commission to ensure followup on this range of issues, and to bring before the Government and the public a continuing perspective on the unfolding problem of what someone has aptly called "the global village."

Such an advisory group should have the invariably unpopular function of pressing in responsible ways for official attention to policy changes that an executive instinctively prefers not to confront.

I would close by emphasizing my conviction that the people who run governments, at least our own, are neither malevolent nor stupid, despite a disturbingly widespread opinion to the contrary. For my money, they are people who are both bright and devoted to the national well-being as they see it.

I believe the Nixon administration has made some substantial gains in foreign affairs. But the added ingredient that is needed is to overcome what the President recently called our failure of nerve. I am afraid he was thinking of nerve in the sense of acting unilaterally, if necessary, in defense of what is construed as the national interest.

I, myself, would like to see a recovery of the nerve to imagine bold and creative designs for a more unified and cooperating world, and then have the courage to push them toward reality.

I and my associates in both Panels have tried to suggest some means of converting our noble rhetoric to action, in ways that protect both our interests and our pocketbook. It remains true that without vision the people will perish. But with only vision and no followthrough, idealism becomes hypocrisy.

Thank you, Mr. Chairman.

Mr. FRASER. Thank you very much for a very provocative statement, Professor Bloomfield.

Mr. Frelinghuysen.

Mr. FRELINGHUYSEN. Thank you, Mr. Chairman.

I think maybe you should have begun the discussion.

I, too, should like to commend both witnesses for very articulate and stimulating statements.

I must say that I find myself in an area that interests me very much.

I am not sure, Dean Wilcox, first of all, what the proposal with respect to microstates would do. Would it have the result of limiting admissions to the U.N. that have been made this year?

How are you going to start differentiating at this stage between those who have already been admitted and those who still want admission?

In other words, it seems to me we are so far down the line that we are crying over spilt milk to say microstates should not be given full qualifications as members because they don't have the capacity, financial or otherwise, to behave as full-fledged members.

Dr. WILCOX. You certainly raise the central question in this respect, Mr. Frelinghuysen.

The fact is, however, there are a great many partial states or bits of real estate floating around the international community, some of which might well opt for membership in the U.N.

In our Commission, there was a question raised as to whether it would be advisable to put some kind of population limit on states that might be admitted from here on out. Someone suggested a half million as the lower limit. I, like you, raised what I thought was a very logical question: How can we now penalize entities that have not yet received their independence and say to them in effect that even though they have a population of 200,000 or 300,000 they can't become a member when some other state did 6 or 8 years ago with a population of only 90,000?

In other words, the fact that there are certain entities now in the organization below 100,000 would suggest that it would be difficult indeed to take action that would be prejudicial to any small states that might seek admission in the future. This is the basic question that I think we face in this regard.

I still think it would be desirable to try to convince these small entities that really cannot afford membership in the United Nations, that they could have an associate membership in which capacity they could have some of the privileges and benefits without being involved in, for instance, the assessment process where they would have to contribute fairly large sums of money to the U.N. budget.

So, like you, I am torn by this dilemma—torn between practicality on the one hand and idealism and ethical considerations on the other hand.

I think the recommendations of the Commission are fairly modest in this regard. It would be a matter of trying to persuade states to take reasonable action and not press for membership when in fact they are really not qualified for it.

Mr. FRELINGHUYSEN. Did the Commission consider the possibility of trying to persuade states that are already in the U.N. to accept an associate membership?

Are you trying to lock the barn door after the horse has been stolen? That is not the right image. Are you trying to get the horses out that are in? Wouldn't that be a more practical way of strengthening the U.N. than to try to reduce the number that come in hereafter?

Dr. WILCOX. I think it would. But once you have gotten your status as a sovereign state established, once you have been listed as a member of the U.N. and you have full rights and privileges, it would be perhaps more difficult to give those up.

Mr. FRELINGHUYSEN. So you abandon that as an impractical idea?

It must represent a very substantial burden on them and give them relatively little except some kind of diplomatic status. There would not be too much loss in accepting a change of status if it did mean a lesser financial load and the benefit of an associate membership without the burdens of full membership.

Dr. WILCOX. I admit that the Commission was groping in the dark here. They saw the problem. They wanted to do something about it. They wanted to encourage our Government to take action to prevent this constant increase in membership, particularly when states do not have the population or the natural resources to qualify for membership.

We straddled the issue and came up with a kind of compromise proposal. Moral suasion is the principal factor involved. Whether you can get states now in the U.N. to renounce their membership is a more difficult problem. I doubt if we can do that.

Mr. FRELINGHUYSEN. If we could go back 20 years and establish more rigorous rules about applicants, the U.N. would be a lot better off. The problem is what can we do about it now?

I am not sure it will have an impact one way or the other on the usefulness of the U.N. to have as members a lot of the states that have a fraction of the population of my own congressional district.

Dr. WILCOX. I share your concern about this. The fact was that a good many members of the Commission felt very strongly about it and they wanted to do something. This seemed to be the best kind of recommendation they could come up with.

Mr. FRELINGHUYSEN. Turning to another point, you talked about the possibility of developing a stronger peace-keeping role for the U.N. and the possibility of doing something with observers.

I am still obsessed with the fact that India and Pakistan represent such a problem. I am just back from that area. Here is a practical situation where it seems to me the U.N. should be useful and where the parties concerned should recognize its usefulness. But the Indians were so sensitive about any kind of international presence on their border, I felt a little bit naive raising the subject.

If you have that kind of situation, it seems to me you are strictly limited unless there is a full willingness and recognition.

We can be glad that the Pakistanis at least have accepted a role for the United Nations in distribution of food for the prevention of famine.

I see in the paper today that apparently not much progress has been made regarding the suggestion that observers be placed on the Pakistan side of the border. You would think this might be somewhat helpful in allaying fears and reducing tensions even if it could not be done on both sides.

Again when you get down to the practicalities you run into understandable problems. So I don't think it is cynical and hypocritical for the United States not to look automatically to the U.N. for the solution of anything. The truth is that they have not solved anything.

That is no excuse for us not to try to make it useful, to forget it and set it aside as a mechanism that has atrophied or partially atrophied. It is our own fault, to a degree, that it is not more useful.

This is what worries me about Professor Bloomfield's suggestion about a coalition. It is not the willing that are the problem. It is the nonwilling.

I think you, yourself, said, Professor Bloomfield, that the crux of a successful coalition appears to be like-minded countries. The problems really don't depend on like-minded countries. It is not the United States that creates the financial bind that the U.N. is in.

How can you get a coalition of countries that aren't in agreement about what should be done with respect to the U.N. resolving a problem that is created by those who do not agree? How is a coalition going to be effective in an area like that?

Professor BLOOMFIELD. First of all, I would not put my own proposal very high. My own description of it is a poor idea, but no worse than any other I have heard.

Mr. FRELINGHUYSEN. I would not be so uncharitable as to describe it that way.

Professor BLOOMFIELD. I thought if I said that, no one could say anything worse about it. I think I may disagree with you in my feeling that there are situations in which the United States has felt frustrated because of the structure of voting, because of the structure of consensus, unanimity and the rest of it.

One area is preparations for peacekeeping where the whole thing is hung up because it was correctly understood that the central issue lay between the United States and the Soviet Union as to whether the Secretary General should have flexibility and administrative authority in carrying out a mission, as the United States has urged, or whether the Security Council should have oversight over the whole process, as the Soviet Union has urged.

In the meantime, the lack of capabilities of the U.N. to move in a hurry, let us say, to develop a new force in the Sinai, which seems to me a real possibility, and perhaps, as I suggested, a *sine qua non* for an agreement there—and you will find some people in the Government who will say the same thing—has been due to the fact that everyone is waiting for the Americans and the Russians.

The coalitions proposal is that you stop waiting and make progress, but only in those areas that are not in contention. There is no reason

why additional states cannot take action to earmark forces, or develop satellite communications, in a way that could be made available in a hurry even if never put to a formal vote in the U.N. now.

Another example of where I may disagree with you is the Connally amendment. Here I don't think it has been only the United States that has been with the "good guys." Here is a case that we led the way with a "coalition" that took the teeth out of the compulsory jurisdiction article of the statute of the World Court, and about 50 or 60 countries followed us with their domestic jurisdiction clauses or something like them.

I have in mind reversing that process.

Mr. FRELINGHUYSEN. I am not talking about the Connally amendment. I am saying that we have probably done more than others to utilize the U.N. rather than to bypass it. We would have dumped Vietnam on the U.N. if they would have taken it, but we recognized they would not take it.

I think we blew life in the U.N. with respect to the situation in East Pakistan. Lord knows, there should be a standby capacity to respond to an impending disaster.

It was a U.S. initiative without question that resulted in that assumption by the U.N. of powers that they may not have legally but which are probably not going to be challenged—at least we hope they will not be challenged.

I don't think we need to be defensive. There are practical reasons why we don't turn to the U.N. for resolving something of consequence where there is disagreement and where our own vital interests are at stake. To hand over to others responsibility for working out a solution of the Panama Canal situation, regardless of our own view, strikes me as giving up something for what might well be a "pig in a poke." I don't think it is any surprise that we are cautious about this approach.

To get back to the financial situation, how would a coalition of like-minded countries resolve the financial problem? We can point the finger of blame, but the present deadlock is because the finger of blame has been pointed. Now we are trying to find a formula where no blame is assessed but which brings in the dollars to get them over the crisis.

That is not an easy thing to do. How can one get around the fact that money is needed for operations of which the Soviet Union and France disapproved?

Dr. WILCOX. To come back to the first part of the question that Mr. Frelinghuysen addressed to us, the fact is that the extreme sensitivity of states and their emphasis upon sovereign rights and all makes it extremely difficult, as you say, to get them to be willing to turn over their disputes to the United Nations.

When the United Nations was established and chapter 6 and chapter 7 of the charter were developed, there was a great hope that with the implementation of the sanction system provided in the charter that the states would turn to the peaceful procedures set forth in chapter 6 and in the statute of the World Court.

But it has been this sensitivity, this very strong feeling of nationalism, that has held states back. They have not been willing to turn

over their disputes to other people and other organizations for settlement. They want to hold onto them, themselves.

As you know, we get all kinds of statements about the peaceful settlement of disputes from India, for example, and from many other countries. Yet, when it comes to finding a solution for the various differences in which they are involved, like that in Kashmir, they resort to their own devices. They do not bring them to the United Nations for settlement.

It is a sad thing, but it is true. This is one of the great trends of this period in history we are going through. States don't resort to the World Court, they don't go to the Security Council with their disputes because they would rather try to work out a more favorable settlement on their own.

Mr. FRELINGHUYSEN. But you are undermining Professor Bloomfield's own contention and really supporting my position, I think. That is, how are you going to get the intractable decisions subjected to a peaceful coalition? It astonished me to hear the assertion that Kashmir would be susceptible to a solution by this approach, or the Palestinian refugees.

It is not that it would not be good for world order to get both these things resolved. But how would a coalition of like-minded countries be assembled to dispose of the problems of Kashmir?

Professor BLOOMFIELD. May I try to address some of those points, because I think they are really very central to this issue. I share much of your own view on this, but let us start with Vietnam. I don't think this we should let slip.

Mr. FRELINGHUYSEN. I never should have brought it up.

Professor BLOOMFIELD. Perhaps not.

In 1966, when the U.S. Government finally went to the U.N., I think the reasons are quite obvious why people around the U.N. were not willing to get onto that particular piece of flypaper.

For one thing, three of the parties to the war were not members of the U.N. and I would say they were not members because of American policy, I wish we could go all the way and get all the people in that we disagree with, like the North Vietnamese, so that we can finally use this Organization for such things.

But I think with Vietnam it was always a nonstarter because of the absence of China and North Vietnam and South Vietnam from the Organization.

So far as the Panama Canal is concerned, there is no regime for international waterways. Our closest allies went to war in 1956 over the Suez Canal, and my colleague and I did not get to sleep for weeks on that crisis. There was no regime for international waterways.

If that is something that could be developed, it would apply to the Suez Canal and the Straits of Tiran and the Panama Canal and Malacca Straits. On the latter, there could even be a war before we are through, because 91 percent of Japanese oil supplies go through those very narrow straits coming from the Middle East to Japan.

So I would argue that it is very much in the American interest to think of ground rules for international oversight of waterways which have as much international use as this.

Mr. FRELINGHUYSEN. I am in thorough agreement on this.

Professor BLOOMFIELD. It is not just our giving away the Panama Canal. I think this general proposal might be of great value to us.

Finally, Dean Wilcox mentioned the Court. Secretary Rogers took what I thought was a very constructive step in announcing that the United States was going to try to bring new business to the Court. The inevitable implication must be that we are going to take to the Court something that we have an interest in; otherwise, it would be the sheerest hypocrisy for us to expect everyone else to bring their problems to the Court.

So far as Kashmir is concerned, there was agreement years ago there should be a plebiscite in Kashmir. My own view is that unless there is that plebiscite in Kashmir, there will be a continuing war. That plebiscite was recommended by the U.N. If we believe in self-determination, that sort of finding should be given much more credence.

I would not include in the proposal those matters where you are having a headbutting session between the United States and the Soviet Union. There is no way to place those before the U.N. But I would not give up on the list of other matters that one might consider, with every safeguard possible, with the aim of seeing if one can't make some headway by this means.

Mr. FRELINGHUYSEN. You dispose of the Kashmir question by saying a decision has already been made for a plebiscite. You have not mentioned the fact that India is not about to submit to a plebiscite. Therefore, there is no solution, in spite of the fact that world opinion is very much in favor of one.

So it has not resolved anything. It perhaps has pointed a finger in a certain direction.

Professor BLOOMFIELD. May I say one more thing about this?

Mr. FRELINGHUYSEN. I am really trying to provoke you to say more.

Professor BLOOMFIELD. It is a very important colloquy, Mr. Chairman, because it is precisely on things like this where we are caught between the sides. As Congressman Frelinghuysen said, everyone was for this plebiscite, but it was not a decision, it was a recommendation. But until there is self-determination, for instance, in Kashmir, for the Palestinian refugees, and perhaps for the people on Taiwan, there will be the danger of new or continuing wars.

What I would like to have seen is a decision that India is not the sovereign authority over Kashmir, and that Kashmir has an ambiguous international status in the same sense as Taiwan.

It is probably too late for that now. But my point is that this was a judgment that had no standing. I think, retrospectively, that the world would be better off if there had been such a thing as a coalition of states that said: "All right, if three-quarters of the Security Council recommends that this is the solution, and if that includes four of the permanent members, the U.N. will consider this to be the definitive legal status of that area."

Mr. FRELINGHUYSEN. We have not blocked a plebiscite. You sound as if we were doing the blocking. What we are talking about is really the futility of U.N. actions, whether they are simply in the form of resolutions or something that seems to have some bite.

What good has the U.N. done in trying to reassert jurisdiction over Namibia? Nothing, except to prove they don't have the capacity to force decisions where they don't have the power to enforce them.

The same thing applies to Kashmir except for the opprobrium that India might be subjected to. They don't have any power simply to say, "India, move out."

Professor BLOOMFIELD. I would not generalize on this, Mr. Frelinghuysen and Mr. Chairman. May I counter with another example: the November 1967 resolution on the Middle East; it had no force. Yet, everyone acknowledges that anything resembling a solution has got to conform to the basic structure of that resolution.

Now, you can say, "Well, they passed a resolution and nothing has happened," and indeed that is true of most of the things the U.N. has done, including a resolution back in 1951 that the Suez Canal should be opened to all countries.

There is no enforcement power, and I don't foresee any enforcement power. But I do foresee taking more seriously certain specific things, and the resolution on the Middle East is being taken seriously by everyone at the moment, except the parties.

Mr. FRELINGHUYSEN. You are being cynical in saying that. I would say it has had an impact on all the parties, including Israel.

Professor BLOOMFIELD. I am glad you said that, because I believe it.

Mr. FRELINGHUYSEN. I am not saying there isn't a role for the U.N. I am a supporter of the U.N. I am saying there is reason for some of the doubts and skepticism and even cynicism, because of the practicality of the question.

I have one final question. I can't resist asking Dean Wilcox whether he was talking with his tongue in cheek when he said the General Assembly was the world's greatest deliberative body. I thought the Congress of the United States was, and I think you could even have your tongue in cheek if you said that.

Dr. WILCOX. I could have said "the greatest deliberative body in the world." What I said was "the world's greatest deliberative body." The Congress is not a world deliberative body. It is a deliberative body of the United States of America.

Mr. FRELINGHUYSEN. It is great in the sense that there is not any other, rather than measuring it as a useful instrument.

Dr. WILCOX. Yes. By comparison with other national legislatures, we would have to say it is probably the greatest deliberative body in the world.

I say, on the other hand, the U.N. is the world's greatest deliberative body, if you get the distinction.

Mr. FRELINGHUYSEN. Thank you very much for that elucidation.

Dr. WILCOX. The emphasis is on words. I agree with you—the Congress is the greatest deliberative body in the world.

Mr. FRASER. I would like to note the fact that we are honored to have with us a Member of the Swedish Parliament, the Honorable Swen Gustafson, who I think is at the U.N. as part of the Swedish delegation. We are delighted to have you here, and we appreciate your sitting in with us.

Professor Bloomfield, your idea of an Under-Secretary for Multilateral Affairs, is not, I gather, a new idea? I have heard something of this kind, I think, before.

Professor BLOOMFIELD. Mr. Chairman, I would rather not take responsibility for that particular idea, although I did say that I now think it is something that makes sense. It was in the recommendations of the UNA-USA Panel report.

As I said before, I am quite skeptical of the constant upgrading of jobs, and thinking you are going to deal with a substantive problem, or problem of attitudes, by new boxes on the chart. And also, I am sitting next to a former Assistant Secretary of State, and I wouldn't want to be construed as saying that they have no authority.

I do think that it is true—and Dr. Wilcox may disagree with me—that Assistant Secretaries for International Organization Affairs—I think I served under five—typically have less credence, credibility, or clout in the bureaucracy than most. It may be precisely for the reason that Congressman Frelinghuysen so eloquently articulated before. It is not a losing battle, but it is a tough one. There are plenty of good arguments that can be made why you should not move in the direction of strengthening that position.

However, if you think as I do that the unilateral approach is getting more bankrupt than it used to be, and that multilateral approaches good, bad, or indifferent, are almost inescapable in an increasing number of areas, then perhaps you should dignify that insight with a symbolic office. I think Nick Katzenbach, who served as Under Secretary of State, agrees with my proposition that where the man sits around the table in the Government is extremely important.

If he has the title of "Under Secretary," at least he will be listened to; he cannot be shunted aside.

The typical instinct not to go the multilateral route, unless it happens to be something overwhelmingly obvious, would then not always dominate decisions.

This is what I am trying to get at. If by calling a man a Deputy Under Secretary—perhaps that would be the compromise—you could elevate the function to where economic affairs were elevated after the war, it would perhaps accomplish the same desirable end.

In the Lodge Commission, we discussed the NSC staff and presidential assistants, and the question of whether something should be recommended there. If I am not mistaken, the United Nations is the part-time concern of one of Henry Kissinger's rather large staff if I am correct, parttime of one man is thus all that is devoted there on a steady basis to this range of issues.

I myself think that is one of the problems. If you have more people who have the ear of the highest level, who at least can advance the multilateral option so that it can be argued down—because it is a very unpopular option—then it seems to me at least you have made some progress in moving forward.

Mr. FRASER. Dean Wilcox, what is your view about the suggestion?

Dr. WILCOX. I think there is some logic, Mr. Chairman, in the idea of elevating the role of Assistant Secretary in the U.N. area. I won't suggest that he be made an Under Secretary, but perhaps a Deputy Under Secretary, because the job involves a good deal of coordination. It is one of getting a consensus out of the Department on a variety of problems that affect a number of the Bureaus in the Department.

The Bureau of Economic Affairs, the Legal Adviser's Office, the Bureau of Middle Eastern Affairs, and the Bureau of European Affairs, for example, all may be involved in working out some kind of solution or compromise with respect to a particular multilateral problem. The Assistant Secretary in charge of United Nations Affairs

has a certain amount of responsibility in trying to pull these things together insofar as they relate to problems dealt with by the United Nations.

Mr. FRASER. Isn't he an equal at the moment?

Dr. WILCOX. Yes; he has equal status, according to the Hoover Commission report on the Federal Government and according to the internal regulations of the Department. He has equal status as a policy officer along with the Assistant Secretaries in charge of the different geographic areas.

But his role is often one of coordinating and trying to get divergent views melded into an agreed-upon policy. There might be some real advantage, in the development of an effective multilateral approach to world problems, if his status were upgraded a bit. I think it would be quite impossible to get him pegged at the Under Secretary level, but there are several Deputy Under Secretaries now, and this might be possible, although I am sure there would be a good deal of opposition to any such move on the part of the Assistant Secretaries for geographic areas.

Mr. FRASER. I am not familiar with the way in which these posts are created. Could this be done by statute?

Dr. WILCOX. I believe you would have to have legislative authority to increase the number of Assistant Secretaries or Under Secretaries. When you get to the presidential appointee level, you have to have a piece of legislation authorizing it.

Mr. FRASER. I would be interested in identifying the recommendations contained in the two reports which would require legislation for implementation.

I am not talking about a resolution that might urge the President to do something, but a recommendation that would require congressional action just to make it happen—like this, I gather. That might be useful because if we are to follow these recommendations it may be that we should separate the two groups so that those that would require legislative action might get more immediate attention, since we would have to be involved. The executive, on the other hand, might act on its own with respect to other recommendations where we are not involved.

This is not something we should ask you to help us on. Maybe we should find other resources for this purpose.

Dr. WILCOX. Mr. Chairman, I would be willing to be of help in this respect. In view of the pressures of time I would find it difficult to do the entire job.

Mr. FRASER. I doubt that there are very many that require legislative action.

Dr. WILCOX. That is true. I don't think there are very many of the proposals that would require legislative action on our part.

I would like to associate myself with what Dr. Bloomfield said about the seeming futility of commission activities. Very often our Government is inclined to appoint a commission when a tough problem arises, and then after a number of interested citizens get together to study the problem and make recommendations not very much happens.

There are some really very good recommendations in the report of the President's Commission and I would like to see our Government

take some positive action. I would hope that this committee could lend its influence in the direction of forward movement so that at least the best of these recommendations are given some momentum as a result of your interest.

I don't mean to say that you should pass a lot of legislation, at this stage, but if you could do anything to encourage their acceptance by the executive branch and later on their implementation by Congressional action or by negotiations or whatever other means are necessary, it would be very helpful. I honestly feel, after working on this report rather assiduously for a rather long time, that there are a good many constructive proposals in it, and it would be very helpful from the point of view of our country and the U.N. if we could get some recognition of this fact in the executive branch so that we could move forward on a rather wide front to strengthen the organization.

Mr. FRASER. I think our subcommittee would be interested in following these as vigorously as possible. But because of the large number of them I think we have to get some appreciation for priorities. There may be a number of considerations. There may be some that are riper for possible approval in the executive branch, with some encouragement on our part, than others. So if there were a way to factor these considerations out and establish some kind of priority ranking, it would be most helpful.

For a long time I have thought, for example, that the Panama Canal should come under U.N. control. It seems to me it is perhaps the most suitable of all prospects that international waterways should be controlled by international bodies. I would think, as I read the papers now, that the U.S. effort to maintain sovereignty down there is going to come under increasing strain. I had understood that we had posed in our bilateral negotiations with Panama that the second canal at the end of 50 years or some period of time would in fact come under international control. I am not sure if that was in the proposed draft or not. And this would begin to give the U.N. something solid, and possibly a revenue source.

But then we have in the Congress here a constituency for the integrity of the Panama Canal as an integral part of the United States that is very determined. I don't know if you have a comment on that particular question or not—the Panama Canal.

Dr. WILCOX. I do not, really, I realize that it is a very controversial question and one which is closely related in the minds of a lot of people to the sovereignty of the United States and the necessity for maintaining a strong defense posture.

Personally I would like to see the United Nations responsibility in the regime of international waterways developed, because there are in the world a good many strategic waterways that give rise to rather serious differences among nations.

If some progress could be made in this direction. I think it would do much to ease international tensions and encourage the peaceful settlement of disputes.

I would even be willing to enter into some kind of international arrangement with respect to the Panama Canal. I foresee increasing difficulties in the years that lie ahead of us in maintaining our position in the canal area and perhaps this is one instance where we would do

well to cooperate with the inevitable and actually encourage the development of an international regime.

Actually this might be one of those situations where we could make real progress in international relations by setting an example. Certainly we could create a great deal of good will, if we would take a step which we may have to take later anyhow—take it before we are compelled to take it and do it graciously and with good will.

We will certainly create more capital in terms of favorable public opinion that way than if we are pushed into something—which is too often the case in our international relationships—we are reluctant to accept.

In my judgment two conditions would have to be met before we would move to place the Panama Canal under international supervision. First of all, Panama would have to agree. That is obvious. Second, I should think we would want to use such action as a bargaining device to induce other states to place waterways over which they now have control, under international jurisdictions. This first move might break the logjam.

Mr. FRASER. I am in somewhat of a dilemma. They have started another vote. Perhaps I could ask a few more questions now; then we might have to pursue others outside the subcommittee hearing.

I am particularly interested in one question which relates to the effectiveness of the U.N. I would suppose that now that the World Court has confirmed the responsibility of the United Nations in Southwest Africa, that there would be an interest on the part of countries that care about the United Nations to find ways to implement that decision. Yet, there seems to be a feeling that this is an exercise in futility, because obviously no one is going to use force. We use force all over the place in terms of what we regard as U.S. national interest. The status of Southwest Africa is obviously of enormous interest to a whole continent as well as to the world community.

Is it sound U.S. policy to take the view that enforcement of the decision is simply out of the question?

Dr. WILCOX. Do you want to take that one, Dr. Bloomfield?

Professor BLOOMFIELD. My impression is that in 1966 or thereabouts the executive branch came rather close to accepting the possibility of a chain of events under article 94 of the U.N. Charter, whereby if the International Court had ruled differently on Southwest Africa, it could have then opened the way to Security Council enforcement of the court's ruling.

I was frankly amazed at the people within the Government who accepted that since the action in question would have been legal and legitimate, and we were committed under the charter, it was in fact thinkable.

I, myself, do not see the enforcement function as one that is viable now. I think this is one of our frustrations.

If you will recall, the United States was not very happy with the Assembly's recommendation on Namibia and our Ambassador tried to get it amended, but was swept away by the numerically enormous sentiment.

I think we should accept the fact that we are going to have this kind of frustration and that numerical majorities are going to make recommendations which are nonenforceable.

Mr. FRASER. Why aren't they enforceable?

Professor BLOOMFIELD. Because there is no machinery for enforcing a recommendation of the General Assembly, which by definition doesn't have standing as other than a recommendation.

Mr. FRASER. Why could we not introduce a resolution in the Security Council, calling on the Security Council to vote whatever measures are necessary to restore control?

Professor BLOOMFIELD. Mr. Chairman, you then would be forced to make a list of a number of places where we might want to consider mobilizing the U.N. and putting American force behind it to carry out an action that we were for.

There were quite a few other comparable resolutions in the U.N. over time; an extreme case was the one calling on the Russians to get out of Hungary. Soviet forces are still there and in Czechoslovakia.

I do not mean to overstate the case, but you have to particularly want to do that one, it seems to me, to avoid the implication that you are going for a rather new ball game.

Mr. FRASER. Why not do the things that can be done? Obviously, as you pointed out, the U.N. is not going to take on one of the superpowers or probably one of the major powers.

Professor BLOOMFIELD. Going to war against South Africa is popular policy, certainly, in a good deal of Africa, and therefore, in a good deal of the U.N.

Mr. FRASER. Let me rephrase it. I don't want to say I am in favor of declaring war on South Africa. I simply would want to see the U.N. exercise its authority in South Africa.

Professor BLOOMFIELD. My impression is that they have done that up to the point of actually running over the border guards and getting people in there. The South Africans won't let them into South Africa peacefully and won't accept the sovereignty of the U.N. You are up against an intractable situation.

If I may say so, on a question such as the Panama Canal, where the United States has some power to act, I would like to add to what Dr. Wilcox said by urging that no one think of turning the Panama Canal over to the U.N., which seems to be not what we have in mind.

I thought we told the Panamanians that they have residual sovereignty anyway. I thought that was the outcome of the 1964 crisis. But we have a lease in perpetuity for 99 years.

I would go for "doable" things, if I can quote Roger Fisher's very excellent words. One thing that might be "doable" is a joint American-international function for the Panama Canal, a joint Egyptian-international function for Suez, and so forth. I have in mind rules which don't require people to surrender their sovereignty immediately but, if you will, change the direction of total, unfettered insistence on national sovereignty by 45 degrees; otherwise, as soon as a new Nassar appears in Panama, it could be the end of traditional American policy, as it was for the British and French in Egypt.

Before that war began in 1956, there were some people who saw the possibility of going to the International Court of Justice. I myself believe there were signs from Egypt in the summer of 1956 that there were issues that could have been taken to the Court so that everyone could have come out with something.

But I would say it was precisely the feeling on the part of the then American Secretary of State—and my colleague may disagree—that you keep those things in your vest pocket, you don't expose them, you don't go to courts, you don't let others in on it, you do it by a sort of dazzling virtuoso performance in personal diplomacy—which ended in disaster.

To me, that is the most compelling argument for developing a different scenario for some of these matters, but at the same time being able to meet the argument of people who say that you are giving everything away at the U.N., when, of course, you are not doing anything of the sort.

Dr. WILCOX. I want to add one or two rambling thoughts to Dr. Bloomfield's comment about Africa. You are an expert in this field, yourself, Mr. Chairman, and you know some of the painstaking thought and soul searching that has gone into trying to find a meaningful solution to this problem.

I have a feeling that we should do only what we can reasonably do with respect to a problem like this. When you look at the range of options, the things that we might possibly do, there aren't really very many things that we can do that would be helpful in the situation.

I wonder if this isn't the kind of problem that time is going to help solve. Certainly we don't want to put the reputation of the United Nations on the line unnecessarily. We recognize that resolutions have been passed about apartheid and about Southwest Africa for a long time in the United Nations and very little has been done to implement these resolutions.

This tends to downgrade and cheapen the validity and vigor of Assembly action and to call into question the effectiveness of the U.N. On the other hand, those who are most concerned; that is, the Africans themselves, have such strong feelings about the lot of their brothers in South Africa that they are not going to permit this situation to continue indefinitely. They will not be content until all black Africans are freed from white domination.

When you look at this problem from a practical point of view, if you think in terms of using sanctions or force, then clearly we would have to exert strong leadership to get the other countries to take action, and there would be some serious doubts about our capacity to do this even if we believe this were the proper course to follow.

I am not sure it would be successful. Certainly economic sanctions have not been successful in the past in a variety of instances. Therefore, as much as one might like to do something that would be helpful, I am not sure that I can see anything practicable to do in the circumstances beyond what we are already doing.

Therefore, I would let time play its role, meanwhile keeping an eye on the situation. I do think it is important for the United States to continue to go on record to make our views clear, to let the world know where we stand, but not to be out in front with respect to the use of force or enforcement action when we would have a real problem getting the African countries—those who are most deeply involved and most interested—to resort to armed force or enforcement action at this stage.

Here, it seems to me the matter of timing is of considerable importance. Because we do believe in human rights we ought to help

keep the pressure on, but clearly we don't want to get involved in a war on the African Continent. As the African states gain in strength and experience, perhaps a solution may emerge which does not now appear on the horizon.

Mr. FRASER. I am afraid my time has run out. I have about 5 minutes to make that vote. We do want to pursue these recommendations, so we will regard yesterday's and today's hearings as only the beginning of our involvement here.

We will certainly welcome further consultation and communications on ways that we can move in some of these areas. Thank you very much for your help this afternoon.

Dr. WILCOX. Thank you very much, Mr. Chairman.

Professor BLOOMFIELD. Thank you, Mr. Chairman.

(Whereupon, at 4:10 p.m., the subcommittee adjourned, to reconvene at the call of the Chair.)

(The following information was subsequently supplied.)

STATEMENT OF G. MICHAEL CONLEE, STUDENT PANEL MEMBER OF THE UNA
COMMISSIONED REPORT ON "U.N. CAPABILITIES IN THE 1970's"

Mr. Chairman, I am grateful for the opportunity to present some general thoughts on the changing dynamic in international affairs, to stress the importance of an increased U.S. focus on the United Nations, and to attempt to point out trends in the conduct of international relations that contribute to the alienation of concerned, articulate members of the student-youth community.

Now is the time for bold, creative ventures initiated by the U.S. to strengthen the U.N.'s mechanisms to fulfill the mandates set forth in the Charter. With all the conversation about a new fluidity among nations, there is a distinct crackle of optimism in the air upon which a more effective U.N. could be built. The emergence of these new forms of flexibility are the result of the interaction of a number of factors. The Sino-Soviet split, the proliferation of new nation-states following rapidly on the heels of de-colonization, the development of progressive and increasingly powerful economies in Western Europe and Japan, and the frustrations of the U.S. in her attempts to champion the cause of international stability and harmony have set the stage for the 1970's.

One of the crucial questions that must be dealt with in this atmosphere is the manner in which foreign policy decisions are to be explained to both the U.S. public and the people of the world. I believe it is fair to state that many young people are turned off to the machinations of the governments of great powers. Yet if the Kissinger style of *realpolitik* prevails with a concentration on "political multi-polarity" and "the necessity of choice", we may find ourselves in the same credibility crisis between government and public that has characterized our experience in Indochina. We have come to expect a heavy dose of moralism in all of our foreign policy proclamations as a result of Cold War rhetoric. Vietnam was explained in terms of "fighting the spread of communism" and "installing democracy" instead of discussing the containment of Chinese power in East Asia through the achievement of political stability. South Vietnam, an example of a U.S. manufactured democracy, is far too sad to be labeled even a "laughing stock". While I disagree personally with our involvement in S.E. Asia and a number of other basic premises of U.S. foreign policy, our decisions have not been quite as irrational as they are now being labeled—the explanations for those decisions have perverted public expectations and served to heighten internal turmoil. We should not only re-examine the precepts underlying our decisions, but the approach that is used in conveying these decisions to the public. Perhaps through cold, hard logic we can explain to our people that our support for the U.N. is not simply based on altruism, but that strengthening the U.N. can be beneficial to both our long and short term interests and to the advancement of mankind.

Returning briefly to the concept of new multilateral flexibilities for action, hopefully having learned from the wide selection of unilateral blunders of the 60's by all of the major powers, the Bloomfield strategy for "coalitions for peaceful settlement" should be useful for the U.S. in the U.N. in the 70's. An era of fragmented allegiances on the part of large numbers of nations should bring this formula to maturity. An issue orientation—as opposed to dogmatic adherence to nebulous ideological dictates—makes the future prospects for the U.N. much brighter.

In this vein, the current international economic maladies have served to increase tensions between the U.S. and many of her time-honored allies. The eventual adoption of SDR's as backstopping for a revitalized monetary system may carry with it certain realizations on the part of the principal actors that result in a re-thinking of the future of their trade relationships. Lest cohesive, properly planned action on environmental and developmental issues be sacrificed to these trade considerations, the U.N. must be given the capacity to act decisively toward the achievement of long run objectives. A strengthened ECOSOC, and

experimentation with the Hamilton model for an International Development Council (as amended by the panel) are crucial "lift-off" stages for this effort.

A key to the increased effectiveness of the U.N. is the perennial problem of funding, and I would stress Dean Wilcox's comment describing our capacity to pay as opposed to current contributions by the U.S. I would applaud the efforts and intent of the 125 Members of the House of Representatives who sent a letter to Ambassador Bush (13 October 1971) expressing their distress with those in the Congress who had threatened to reduce U.S. payments should the U.N. vote to expel the Taipei delegation in the upcoming decisions on the issue of Chinese representation. Their statement points out that irregardless of their personal feelings on the issue, "... nothing could be more damaging to our genuine national interest than for us so to undermine the foundations of the United Nations". I would hope that the wisdom of this remark would rub off on their fellow members of Congress.

The issue of Chinese representation is one that I must clearly state my unequivocal disagreement with both the panel's recommendations and the current policy of the administration. I submit at this time the dissent I prepared as an addendum to the policy panel report, pages 76-78 of "U.N. Capabilities in the 70's".

I would add that the application of the term "universality" to the retention of the delegation from Taiwan is a retreat from facing the issue as it stands. I believe that present policy is a false statement of the case—the question is one of restoring the proper credentials to the PRC and does *not* involve the expulsion of a member state, and therefore does not set a precedent for the expulsion of others (as argued by Ambassador Bush).

The panel uses the phrase "as a matter of primary importance" in reference to the seating of the PRC in the General Assembly and the Security Council, yet calls for the continued presence of the Taipei representatives in the Assembly. I believe this is unworkable, as they are underestimating the resolve of the PRC to have the U.N. correct the long-standing insult it has rendered the Peking regime. Additionally, Nixon-Kissinger overtures toward Peking have lodged two strikes against current U.S. policy in the U.N. Countries listed as borderline cases for the upcoming votes are not blind to the likelihood of a Sino-U.S. dialog leading to improved communication and diplomatic interaction. They have no desire to be "caught looking"—a fate bestowed upon Prime Minister Sato and other Asian leaders. It is important to add that should the expulsion of the Taipei delegation occur, it need not inhibit in any way the entrance of the divided states, nor preclude the possibility of their eventual reconciliation.

One issue that has not been dealt with adequately in either the panel report or these hearings, and one that is of major importance to students is human rights. While the panel felt that a revitalized U.N. organization "would be in a position to be more effective on all the principal issues . . . including . . . human rights", limitations of time and desired focus prevented the treatment of this area that it so earnestly needs and justly deserves. The plight of Soviet Jews and the refugees from the Bangla Desh disaster are only harbingers of volatile situations that will arise based on a universal concern for human rights as they flow across national boundaries. Advances in communications technology bring these crises into the homes of increasing numbers of people throughout the world. An increased awareness of injustices will result, and may create international public outcries by coalitions of concerned citizens. The paradoxical long run result may be a call for action—perhaps even intervention—as opposed to the current spirit of withdrawal by the U.S. from its commitments abroad.

The adventures of multinational enterprise in countries where the efforts of the corporations cannot avoid involvement (either guilt by association or direct action) with internal human rights controversies needs to be examined now. The U.N. or related structures might provide the framework for arbitration of these disputes which can become peculiarly complex if the adversaries are private corporations and sovereign governments. I feel it is in the long term interests of the U.S. and all other nations to explore *seriously* the possibilities of U.N. behaviour on human rights issues. U.S. produced weapons in the hands of the Portuguese in Angola (via NATO), corporate relations with South Africa, and the recent Senate vote authorizing the renewed importation of chrome from Rhodesia are blatant reminders of the types of complex subjects that will be encountered with increasing frequency. What role does Peter Metternich play at this juncture in history? It should be noted that if the Byrd-Stennis amend-

ment on Rhodesian chrome becomes law, it will represent a direct contradiction of a resolution passed by the Security Council (the U.S. voted in favor), and a clear violation of international law.

Another unfortunate observation that should be made is that the student-youth community, with exceptions, has bypassed the U.N. in much the same manner as their adult predecessors when discussing specific alternative avenues for the enactment of change. However, there exists a nucleus of young people—capable and informed—whose energies should be encouraged and channeled in the direction of international civil service. A prerequisite for this type of vocation will be the demonstration of unique attitudes, and a commitment to a dual citizenship—a rare quality at present. The words of Secretary General U Thant should be heeded on this subject.

The U.S. government should play a key role in the motivation of competent student leaders (a rather ironic twist, I realize). A resolution was passed during the 25th session of the General Assembly calling for the cooperation of member states in utilizing youth advisors to their delegations. Relatively speaking, the U.S. should be complimented as it was the only member to respond to the request (to my knowledge). Three persons were appointed—one being over thirty years old. Though underemployed in terms of efficient programming, I can with certainty say (as one of youth advisors is a personal friend) that even the token experience was valuable. We are presently several weeks into the 26th General Assembly session, and if the program still exists it must be being conducted in a very low profile—you might say it is invisible. Given increased flexibility in curriculum in many of the nation's colleges and universities, a program could be coordinated whereby a half-dozen or so students might serve full time during the General Assembly with the U.S. Mission to the U.N. in New York in both research and advisory capacities. Some would receive full credit for their studies with their universities, while others might be financed by educational grants from foundations. In addition to being a fantastic learning experience for the students, they would be able to bring student opinions to bear on an interpersonal level. Such a plan could be organized and administered under the auspices of the State Department Youth Advisor, Mr. Jerry Inman. I am not suggesting an increased burden for State—merely their cooperation in assisting others to make the program a reality. Congressional support is important, Mr. Chairman, and that is why I am pleased to be able to present this recommendation before this Subcommittee today.

The quality and intensity of interest in and commitment to the U.N. by students and youth depends partially on the actions and rhetoric of Members of Congress. The alienation with established policy-making institutions and administrative bureaucracies carries over into the realm of the U.N.—as the U.N. shares ingrained impediments to change with every other organizational structure known to man. A standard complaint of recent times in this country is that we have strayed far afield from the goals upon which this country was conceived—taking into account changes in the world environment as well as domestic conditions. On the U.N. side of the ledger, the complaint should be that its members—including the U.S.—have significantly handcuffed its actions so that a realization of the goals embodied in the Charter have continued to remain substantially beyond reach. Now is the time to make greater portions of the U.N.'s potential a reality, and supplant isolationist trends with multi-lateral solutions.





